

Reformed Church, of Woodstock, Shenandoah County, Va.—to the Committee on War Claims.

By Mr. HOWELL of New Jersey: Petition of Local No. 399, American Federation of Musicians, favorable to bill H. R. 8748, relative to the pay of musicians employed by the Government and their unfair competition with civilian musicians—to the Committee on Naval Affairs.

By Mr. KINKAID: Petition of citizens of Ansley, Nebr., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. KNAPP: Paper to accompany bill for relief of William Loan—to the Committee on Invalid Pensions.

By Mr. LILLEY of Pennsylvania: Paper to accompany bill for relief of Edwin R. Smith—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Petition of the I. S. Remson Manufacturing Company, for a postal law for two classes of mail matter only—to the Committee on the Post-Office and Post-Roads.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Berry May, of Hamilton County, Tenn.—to the Committee on Invalid Pensions.

Also, resolution of N. B. Forest Camp, United Confederate Veterans, thanking Senator J. B. FORAKER, the Congress, and the President of the United States for passing and approving the bill for locating and marking the graves of Confederate prisoners of war—to the Committee on Military Affairs.

By Mr. PEARRE: Petition of Christian Endeavor Society of Berwyn, Md., for a law to protect State and county liquor laws against outside nullifiers, and also for a law against liquor selling in Soldiers' Homes and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SHARTEL: Petition of Frank P. Blair Post, No. 1, Grand Army of the Republic, for making a national park of the Wilson Creek battlefield—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: Paper to accompany bill for relief of Emanuel Sandusky—to the Committee on Invalid Pensions.

By Mr. SNAPP: Petition of citizens of Downers Grove, Ill., against the state of affairs in the Kongo Free State—to the Committee on Foreign Affairs.

Also, petition of citizens of Elgin, Kane County, Ill., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SPERRY: Paper to accompany bill for relief of Lewis F. Allen—to the Committee on Invalid Pensions.

By Mr. THOMAS of Ohio: Petition of Ella M. Davidson, Mrs. G. A. Carson, and Edwin H. Tiffany, for the Crumpacker bill relative to the right of appeal in cases of individuals affected by fraud orders issued by the Post-Office Department—to the Committee on the Judiciary.

By Mr. SULZER: Resolution of the Organization of the General Slocum Survivors, to the mayor of San Francisco, expressing heartfelt sympathy for the city in her hour of affliction—to the Committee on Appropriations.

By Mr. VAN WINKLE: Petition of residents of the Ninth Congressional district of New Jersey, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, April 27, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Journal of yesterday's proceedings was read and approved.

COMPANIA DE LOS FERROCARRILES DE PUERTO RICO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, a certified copy of an ordinance recently enacted by the executive council of Porto Rico and approved by the President, granting to the Compañía de los Ferrocarriles de Puerto Rico and its assign, the American Railroad Company of Porto Rico, the authority to extend its present branch track into the city of Arecibo, etc.; which, with the accompanying paper, was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes; which, with the accompanying papers, were referred to the Committee on Claims, and ordered to be printed:

In the cause of Caroline H. Lillie and Julia W. L. Symington,

executrices of the estate of A. B. H. Lillie, deceased, v. The United States;

In the cause of Christopher Bruns v. The United States;

In the cause of Merrill Spalding, executor of Enoch G. Parrott, deceased, v. The United States;

In the cause of John P. Gillis, son of John P. Gillis, deceased, v. The United States;

In the cause of Merrill Spalding, James S. Spalding, Elizabeth T. Spalding, children of Lyman G. Spalding, deceased, v. The United States;

In the cause of Elizabeth C. Van Reed, heir at law of George Cochran, deceased, v. The United States;

In the cause of Frederick W. Cotton v. The United States;

In the cause of Robert C. Ribbans, guardian minor heirs of William N. Maull, deceased, v. The United States; and

In the cause of Robert C. Ribbans, guardian of minor heirs of Isaiah E. Crowell, deceased, v. The United States.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11946) to amend section 6 of an act approved February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes."

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

H. R. 14508. An act permitting the building of dams across the north and south branches of Rock River, adjacent to Vanduffs Island and Carrs Island, and across the cut-off between said islands, in Rock Island County, Ill., in aid of navigation and for the development of water power; and

H. R. 16954. An act providing for the reappraisal of certain suburban lots in the town site of Port Angeles, Wash.

PETITIONS AND MEMORIALS.

Mr. KEAN presented a petition of Lucy Webb Hayes Council, No. 12, Daughters of Liberty, of Vineland, N. J., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a petition of Elizabeth Lodge, No. 600, Brotherhood of Locomotive Firemen, of Elizabeth, N. J., praying for the passage of the so-called "employers' liability bill;" which was referred to the Committee on Interstate Commerce.

He also presented a petition of Local Lodge No. 399, American Federation of Musicians, of Lakewood, N. J., praying for the enactment of legislation to prohibit Government bands from competing with civilian bands; which was referred to the Committee on Military Affairs.

He also presented the petition of Rev. G. F. Greene, of the Presbyterian Church of Granford, N. J., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of E. W. Poore, of Manchester, N. H., and a petition of the Society of Chemical Industry, of Boston, Mass., praying for the enactment of legislation to remove the duty on denatured alcohol; which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Washington, D. C., praying for the adoption of an amendment to the District of Columbia appropriation bill providing for the grading of Albemarle street east of Connecticut avenue in that city; which was referred to the Committee on the District of Columbia.

Mr. HEMENWAY presented a memorial of Local Division No. 394, Amalgamated Association of Street and Electric Railway Employees of America, of Tipton, Ind., remonstrating against the repeal of the present Chinese-exclusion law; which was referred to the Committee on Immigration.

He also presented a petition of Local Union No. 335, Brotherhood of Painters, Decorators, and Paper Hangers, of Crawfordsville, Ind., and a petition of Local Union No. 63, Brotherhood of Painters, Decorators, and Paper Hangers, of Elkhart, Ind., praying for the removal of the internal-revenue tax on denatured alcohol; which were referred to the Committee on Finance.

Mr. BURNHAM (for Mr. GAMBLE) presented the petition of Chris Myhre, of Oacoma, S. Dak., praying for the removal of the internal-revenue tax on denatured alcohol; which was referred to the Committee on Finance.

Mr. BURNHAM presented the memorial of Ira J. Felch, of Manchester, N. H., remonstrating against the enactment of legis-

lation to provide for the free distribution of seeds; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Pauline Cushman Council, No. 21, Daughters of Liberty, of Hillsboro Bridge, N. H., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented the petition of Gen. J. M. Clough, of New London, N. H., and the petition of Gen. J. N. Patterson, of Washington, D. C., praying for the adoption of an amendment to the Army appropriation bill to provide for the creation of a volunteer retired list; which were referred to the Committee on Military Affairs.

He also presented a petition of the National State Grange, Patrons of Husbandry, of Concord, N. H., and a petition of the New England Section, Society of Chemical Industry, of Boston, Mass., praying for the removal of the internal-revenue tax on denatured alcohol; which were referred to the Committee on Finance.

Mr. BURKETT presented an affidavit in support of the bill (S. 5781) granting a pension to William B. Ashton; which was referred to the Committee on Pensions.

Mr. RAYNER (for Mr. GORMAN) presented a petition of the Congregation of the Church of God, of Carrollton, Md., and a petition of the Christian Endeavor Society, of Berwyn, Md., praying for the enactment of legislation to protect State and county laws against outside nullifiers, and also to prohibit the selling of intoxicating liquor in Soldiers' Homes and in all Government buildings; which were referred to the Committee on Military Affairs.

Mr. BRANDEGEE presented resolutions adopted by the New York Board of Trade and Transportation, praying for the enactment of legislation for the acquisition of forest reservations in the Southern Appalachian and White Mountains; which were ordered to lie on the table, and be printed in the Record, as follows:

NEW YORK BOARD OF TRADE AND TRANSPORTATION,
New York, April 25, 1906.

At the monthly meeting of the New York Board of Trade and Transportation, held this day, Mr. John H. Washburn, for the committee on forests, submitted the following report, and it was unanimously adopted, viz:

To the New York Board of Trade and Transportation:

GENTLEMEN: In pursuance of a report made to this board, June 4, 1904, upon a bill favorably reported by the United States Senate Committee on Forest Reservations and the Protection of Game, and the House of Representatives Committee on Agriculture for the purchase of a national forest reserve in the Southern Appalachian Mountains, the forestry committee begs leave to say that the report then made was indorsed, and the creation of such a reserve was recommended by the board.

The committee now wishes to state that a substitute bill is pending before Congress; that its purpose is to acquire "forest reserves in the Appalachian Mountains and White Mountains, to be known as the 'Appalachian Forest Reserve' and the 'White Mountain Forest Reserve,' respectively."

It is an interesting fact that the area of existing national forest reserves west of the Mississippi embraces nearly 93,000,000 acres, while there is no national reserve east of the Mississippi, and the only public reserve of any consequence is that belonging to the State of New York, embracing 1,436,686 acres, the creation of which was almost exclusively due to the work of the New York Board of Trade and Transportation.

Among the essential objects to be gained by the creation of these reserves is the protection of the head waters of almost all the important rivers of five of the New England States, and practically the head waters of the chief rivers in the South, east of the Mississippi and south of the Ohio River.

The protection of the sources of these river systems is necessary to the conservation and future development, in a large measure, of the internal navigation and commerce of these five New England States and of nine of the Southern States, as well as the mining and agricultural industries of the latter and also of the vast and increasing manufacturing interests of both of these sections of our country.

The attention of the board is called to the evils and losses from alternate drought and flood, the former becoming more severe with the removal of the forest cover, while the freshets increase their destructive powers—the losses in the Appalachians by the spring freshets of the last two years amounting to \$18,000,000, or about nine times the sum set aside by this bill for the acquiring of lands in those regions. At the same time, it is to be observed that the partial stripping of the wooded reliefs of the White Mountain sections has imposed a very heavy annual burden or tax upon the cost of many goods made upon streams fed by those watersheds, the enforced substitution of steam as a motive power for water power, now so uncertain and irregular, costing each year hundreds of thousands of dollars.

The continued deforestation of the regions under consideration can not therefore fail to work correspondingly to the advantage of the manufacturing and all other industries dependent upon the proper flow of their rivers and tributaries. What is more, it will happen at a time when competition between the most advanced nations has not only reached a stage unprecedented in the history of the commercial world, but must grow more severe owing to the progressive, intelligent, and forceful character of those engaged in the direction of this mercantile rivalry. With such an outlook, no advantage, either acquired or natural, which any section of our country possesses should be sacrificed or needlessly wasted.

More particularly does this apply to that section watered by the watersheds of the Southern Appalachians. Raising such a large proportion of raw cotton, one of the most important gifts of nature to mankind, with a native population peculiarly adapted to its successful

cultivation, a favoring climate, and water and electric powers practically unlimited, if wisely conserved and applied, it should in time be able to wrest from the nations of Europe the cotton trade of the nations and peoples inhabiting the countries and islands washed by the Pacific Ocean, and now constituting more than half the population of the globe. Great as it is at present, it is insignificant as to what it must be when the East has awakened from the lethargy of its ancient civilizations and entered upon the march of modern progress.

With such advantages, among others, to be conserved, acquired, and guaranteed by the preservation of the watersheds forming the subject-matter of this report, your forestry committee respectfully submits for your action the following resolution:

Resolved, That the New York Board of Trade and Transportation heartily indorses Senate bill 4953 for the creation of a White Mountain forest reserve and a Southern Appalachian Mountain reserve, and earnestly recommends that it be passed by the present Congress.

Respectfully submitted.

EDMUND P. MARTIN, *Secretary*,
JOHN H. WASHBURN,
PETER F. SCHOFIELD,
HENRY S. HARPER,
Committee on Forests.

WM. MCCARROLL, *President.*

FRANK S. GARDNER, *Secretary.*

A true copy.

Attest:
[SEAL.]

REPORTS OF COMMITTEES.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13493) granting an increase of pension to Elizabeth J. Meek;

A bill (H. R. 13024) granting a pension to William J. Beach;

A bill (H. R. 14200) granting an increase of pension to John K. Dalzell;

A bill (H. R. 14198) granting an increase of pension to William Stewart;

A bill (H. R. 12813) granting an increase of pension to Reese Moore;

A bill (H. R. 12480) granting an increase of pension to James McKenna;

A bill (H. R. 12304) granting an increase of pension to John McDonough; and

A bill (H. R. 13236) granting an increase of pension to William Haines.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13421) granting a pension to John W. Wabgrass;

A bill (H. R. 13326) granting an increase of pension to Augustus McDaniel;

A bill (H. R. 14996) granting an increase of pension to John F. Smith;

A bill (H. R. 14955) granting an increase of pension to Eliza Moore;

A bill (H. R. 14839) granting an increase of pension to James McManis;

A bill (H. R. 14827) granting an increase of pension to William K. Stewart;

A bill (H. R. 14545) granting an increase of pension to Eliza L. Nixon;

A bill (H. R. 13923) granting an increase of pension to Martin Dayhuff;

A bill (H. R. 12842) granting an increase of pension to William J. Drake;

A bill (H. R. 13689) granting an increase of pension to William S. Newman;

A bill (H. R. 13622) granting a pension to Mary Cochran;

A bill (H. R. 14470) granting an increase of pension to William A. Braselton;

A bill (H. R. 14328) granting an increase of pension to Charles M. Mears;

A bill (H. R. 13704) granting a pension to Ann Dewier;

A bill (H. R. 13465) granting an increase of pension to Eleanor Gregory;

A bill (H. R. 13111) granting an increase of pension to Lewis S. Perkins;

A bill (H. R. 12734) granting an increase of pension to Abram Van Riper;

A bill (H. R. 12664) granting an increase of pension to William E. Wallace;

A bill (H. R. 13469) granting an increase of pension to Michael Davy, alias James Byron; and

A bill (H. R. 12279) granting an increase of pension to James S. Topping.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 14072) granting an increase of pension to George W. Reeder;

A bill (H. R. 13060) granting an increase of pension to Henry De Graff;

A bill (H. R. 13030) granting an increase of pension to John C. Heney;

A bill (H. R. 14106) granting an increase of pension to John S. Melton;

A bill (H. R. 13882) granting an increase of pension to Levi L. Price;

A bill (H. R. 13713) granting a pension to Allison W. Polard;

A bill (H. R. 12733) granting an increase of pension to Charles W. Kelsey;

A bill (H. R. 13535) granting an increase of pension to William Kelly;

A bill (H. R. 12010) granting an increase of pension to Lewis Hoffman;

A bill (H. R. 13506) granting an increase of pension to Julia A. Bachus;

A bill (H. R. 14854) granting an increase of pension to Harriet Howard;

A bill (H. R. 14736) granting an increase of pension to Isaac C. Smallwood;

A bill (H. R. 14728) granting an increase of pension to William Cartwright; and

A bill (H. R. 14539) granting an increase of pension to Louis C. Robinson.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11424) granting an increase of pension to Stephen W. Neal;

A bill (H. R. 9276) granting a pension to Mary E. O'Hare;

A bill (H. R. 9375) granting an increase of pension to Charles H. McKeeney;

A bill (H. R. 8091) granting an increase of pension to John Coughlin;

A bill (H. R. 6776) granting an increase of pension to Stephen C. Smith;

A bill (H. R. 6112) granting an increase of pension to Edmund Fish;

A bill (H. R. 10774) granting an increase of pension to James D. Leach;

A bill (H. R. 10318) granting an increase of pension to James F. Hollett; and

A bill (H. R. 6111) granting an increase of pension to Edwin R. Steenrod.

Mr. BURKETT, from the Committee on the District of Columbia, to whom was referred the bill (S. 823) to rectify the boundary line of Rock Creek Park, reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 15972) granting an increase of pension to Thomas J. Smith;

A bill (H. R. 4595) granting an increase of pension to Thomas H. Tallant;

A bill (H. R. 4594) granting an increase of pension to Joshua S. Ditto;

A bill (H. R. 15178) granting an increase of pension to Matilda Morrison;

A bill (H. R. 15180) granting an increase of pension to Amanda Pitman;

A bill (H. R. 1547) granting an increase of pension to William A. Olmsted;

A bill (H. R. 15854) granting an increase of pension to Phillip Schloesser;

A bill (H. R. 15867) granting an increase of pension to Annie M. Stevens;

A bill (H. R. 16274) granting an increase of pension to David Lindsey;

A bill (H. R. 14493) granting an increase of pension to Henry Gentles, alias Henry Hopner;

A bill (H. R. 13679) granting an increase of pension to Joseph Nobinger;

A bill (H. R. 12561) granting a pension to Francis M. McClen-

don;

A bill (H. R. 13507) granting an increase of pension to Thomas Crowley;

A bill (H. R. 14861) granting an increase of pension to Dennis W. Ray; and

A bill (H. R. 14745) granting an increase of pension to Frederick B. Walton.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 5796) to authorize the construction of a

bridge across the Missouri River and to establish it as a post-road, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 26th instant providing for the construction of a plant for the occasional chemical treatment of Potomac water necessary to produce clear and wholesome water, etc., intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 5698) to regulate the practice of veterinary medicine in the District of Columbia, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 5882) to provide for the reassessment of benefits in the matter of the extension and widening of Sherman avenue in the District of Columbia, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 13233) granting an increase of pension to Jesse A. B. Thorne;

A bill (H. R. 13232) granting an increase of pension to Penina Owens;

A bill (H. R. 13229) granting an increase of pension to Sarah E. Holland;

A bill (H. R. 13228) granting an increase of pension to Augustus Hathaway; and

A bill (H. R. 13227) granting an increase of pension to Robert Blacett.

Mr. FORAKER, from the Committee on Privileges and Elections, to whom was referred the bill (S. 4563) to prohibit corporations from making money contributions in connection with political elections, reported it with amendments, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 17220) providing for a recorder of deeds, etc., in the Osage Indian Reservation, in Oklahoma Territory, reported it without amendment, and submitted a report thereon.

PORT OF BUFFALO, N. Y.

Mr. ALLISON. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 11037) relating to the transportation of dutiable merchandise without appraisement, to report it back and ask that the committee be discharged from its further consideration, and that the bill be referred to the Committee on Commerce.

The report was agreed to.

Mr. FRYE. I am authorized by the Committee on Commerce to report the bill favorably and ask for its present consideration. It will not take a minute.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to extend the privileges of the first section of the act approved June 10, 1880, relating to the transportation of dutiable merchandise without appraisement, to the port of Buffalo, in the State of New York.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEARINGS BEFORE COMMITTEES ON TERRITORIES.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. DILLINGHAM (for Mr. BEVERIDGE), reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the stenographer employed by the Committee on Territories to report hearings on Senate bill No. 191, and other matters pending before said committee, and the stenographer hereby authorized to be employed by said committee from time to time, as may be necessary, to report such testimony as may be taken by said committee or its subcommittees, in connection with matters pending before it, be paid from the contingent fund of the Senate; and that said committee be authorized to have such testimony printed for its use.

NOTICES UNDER PUBLIC-LAND LAWS.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 5789) to regulate the publication of notices issued under the public-land laws, to report it favorably without amendment, and I submit a report thereon. I ask for the present consideration of the bill. It is very short.

The Secretary read the bill, as follows:

Be it enacted, etc., That all notices which the general provisions of the mineral and public land laws require to be published in newspapers

shall be published in the newspaper of established character published nearest the lands described in such notices and within the land district or county in which such lands are located; and in cases where two or more such papers are published in the town nearest such lands, or in two or more towns which are of equal distance from such lands, such notices shall be published in any one of such papers as may be designated for that purpose by the register of the land office from which such notice issued.

Mr. HALE. The matter of giving notice by publication in cases affecting public lands is a very important one. The notice may be so obscure and coming from such an obscure source that nobody sees it. I wish the Senator would explain, so that the Senate will realize what change is contemplated in this bill, what is required now in the way of notices—from what kind of newspapers, how that is changed, and whether the Senator is sure that under the bill there will not be notices published that nobody will see and nobody will know of, and that private and public rights will be lost by reason of it.

Mr. HANSBROUGH. I think that the apprehension of the Senator from Maine is not fully justified. It would be difficult to legislate so as to provide that a notice published in any newspaper should be read by a given number of people. Of course a large number of papers are obscure publications. That can not be obviated or regulated by law.

The only difference between this bill and the existing law is this: The existing law provides that these notices shall be published in the newspaper nearest the land affected by such notice. It is provided in this bill that it shall be published within the land district or county where the land is situated. That is the only change from existing law.

Mr. HALE. What good purpose is subserved by that change? Why is it any better notice under the bill which the Senator reports than it is now under the present law?

Mr. HANSBROUGH. I will say to the Senator that there are several instances where the lands affected are the nearest to newspapers that are published in other States. For instance, in one case in North Dakota the lands affected are nearer to newspapers published in South Dakota, so that the paper published in South Dakota does not circulate, as the Senator can well understand, among North Dakota readers. That is the purpose of the bill.

Mr. HALE. The bill provides for the publication of the notice in a paper circulating nearest to the land?

Mr. HANSBROUGH. Precisely; and in order to do that it is necessary to publish it in the county and land district within which the land is located.

Mr. BEVERIDGE. Where is the publication made now?

Mr. HANSBROUGH. In the particular case I have mentioned it is made in South Dakota, and the lands lie in North Dakota.

Mr. BEVERIDGE. But generally speaking?

Mr. HANSBROUGH. It is made in a newspaper nearest the land.

Mr. HALE. The land districts do not extend into more than one State?

Mr. HANSBROUGH. No; they do not; they are confined within the borders of the State.

Mr. HALE. The Senator is a veteran on this kind of legislation and ought to know whether the bill will be an advantage or not. My attention was called to it by the fact that every now and then before the Committee on Appropriations, in questions coming up touching lands, the question of notice is sometimes found to be important.

Mr. HANSBROUGH. Yes; it is important.

Mr. HALE. And sometimes public and private rights are lost because there has been no adequate advertisement and notice.

Mr. HANSBROUGH. My own judgment is if this bill becomes a law it will add materially to the benefit of the situation.

Mr. FULTON. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. HANSBROUGH. I yield to the Senator.

Mr. FULTON. I did not understand from the explanation made by the Senator from North Dakota just what change the bill does make in the present law. I am a member of the committee from which it comes, but was not able to be present at the time it was considered. I suppose it was considered at the last meeting, was it not?

Mr. HANSBROUGH. Yes.

Mr. FULTON. I understand the law at the present time requires the notice to be published in the newspaper nearest to the land?

Mr. HANSBROUGH. Nearest to the land. It is proposed to add that it shall be published also within the land district or county in which the land is located, so that the publication relative to such land in North Dakota will not take place in

South Dakota, as heretofore, where the newspaper does not circulate in North Dakota.

Mr. FULTON. Suppose there is no—

Mr. TILLMAN. Mr. President, I wish to make a parliamentary inquiry. Is the morning business over?

The VICE-PRESIDENT. The morning business has not been closed.

Mr. TILLMAN. What is before the Senate now?

The VICE-PRESIDENT. The Senator from North Dakota reported Senate bill 5789 from the Committee on Public Lands and asked unanimous consent for its present consideration. The bill was read.

Mr. TILLMAN. It seems to be taking a considerable amount of debate, and I should like to have it go over.

The VICE-PRESIDENT. Under objection—

Mr. FULTON. It will not take any further time as far as I am concerned.

Mr. HANSBROUGH. I do not think there will be any further debate.

Mr. BERRY. I wish to ask a question of the Senator from North Dakota.

Mr. TELLER. Let us know what the bill is before objection is made to it.

The VICE-PRESIDENT. Does the Senator from Colorado wish to have the bill read by its title?

Mr. TELLER. I should like to know what it is, by title at least.

Mr. HANSBROUGH. Let the bill be again read. It is a short bill.

The VICE-PRESIDENT. The bill will be again read for the information of the Senate.

The Secretary again read the bill.

Mr. BERRY. Will the Senator from North Dakota yield to me for a question?

Mr. HANSBROUGH. Certainly.

Mr. BERRY. Under the law as it is proposed to be amended, will the designation of the papers remain with the register?

Mr. HANSBROUGH. With the register.

Mr. BERRY. Is the bill in the identical language of the present law in that respect?

Mr. HANSBROUGH. It is a copy of existing law with these words added:

Within the land district or county in which such lands are located.

Mr. TELLER. Is that all the change?

Mr. HANSBROUGH. That is the only change in the existing law.

The VICE-PRESIDENT. Without objection, the bill is before the Senate as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. MARTIN introduced a bill (S. 5918) for the relief of the St. Paul Reform Church, of Woodstock, Va.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BERRY introduced a bill (S. 5919) for the relief of the estate of James S. Ford, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 5920) granting an increase of pension to Sinnett A. Duling; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SUTHERLAND (for Mr. WARNER) introduced a bill (S. 5921) granting an increase of pension to Hiram G. Hunt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 5922) granting an increase of pension to John W. Virden; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 5923) for the construction of a sea wall at Fort Screven, Ga.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TALIAFERRO introduced a bill (S. 5924) to extend the provisions of the existing bounty land laws to the officers and enlisted men, and the officers and men of the boat companies, of the Florida Seminole Indian war; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BRANDEGEE introduced a bill (S. 5925) for the relief of the city of New London, Conn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. RAYNER (for Mr. GORMAN) introduced a bill (S. 5926) providing for the payment of a certain judgment or decree against Henry E. McKee, agent and trustee for the Choctaw.

Nation of Indians, out of funds payable to the said nation of Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BURKETT introduced a bill (S. 5927) granting an increase of pension to H. C. Phipps; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER (by request) introduced a bill (S. 5928) granting an increase of pension to Patrick Gaffney; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARTER introduced a bill (S. 5929) granting an increase of pension to John A. Richards; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 5930) for the relief of Benjamin Hyde; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5931) granting a pension to Deborah B. Roman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 5932) granting an increase of pension to E. R. Merriman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. OVERMAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 5933) to correct the military record of Wyatt F. Rynnion;

A bill (S. 5934) to correct the military record of Louis L. Rynnion;

A bill (S. 5935) to correct the military record of Edmund Reece; and

A bill (S. 5936) to correct the military record of Levi Taylor.

Mr. OVERMAN introduced a bill (S. 5937) for the relief of Leonidos H. Hall; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills, which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5938) granting an increase of pension to Gabriel Sams; and

A bill (S. 5939) granting an increase of pension to Jules Rector.

Mr. MORGAN introduced a bill (S. 5940) granting an increase of pension to Henry Bittleston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 5941) granting an increase of pension to Joseph E. Layton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 5942) to provide for finishing the crypt of the chapel, United States Naval Academy, Annapolis, Md., as a permanent resting place for the body of John Paul Jones; which was read twice by its title, and, with the accompanying letter from the Navy Department, which was ordered to be printed, referred to the Committee on Naval Affairs.

Mr. KITTREDGE introduced a bill (S. 5943) to authorize the Minnesota, Dakota and Pacific Railway Company to construct a bridge across the Missouri River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FLINT introduced a bill (S. 5944) providing for examinations and surveys for the location of reclamation and irrigation works in the Sacramento and San Joaquin valleys, in the State of California; which was read twice by its title, and referred to the Committee on Irrigation.

Mr. SIMMONS introduced a bill (S. 5945) providing for an inspection of certain agricultural products, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. HEMENWAY introduced a joint resolution (S. J. R. 52) authorizing the Secretary of War to donate to the board of trustees of Vincennes University, Vincennes, Ind., such obsolete arms and other military equipments now in possession of said university, to be used in military instruction; which was read twice by its title and referred to the Committee on Military Affairs.

REPORT OF JOSEPH L. BRISTOW.

On motion of Mr. MILLARD, it was

Ordered, That there be printed and bound in paper covers for the use of the Senate 500 copies of the report of Joseph L. Bristow, Special Panama Railroad Commissioner, to the Secretary of War, June 24, 1905.

REGULATION OF RAILROAD RATES.

Mr. NEWLANDS submitted an amendment intended to be proposed by him to the bill (H. R. 12987) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the

powers of the Interstate Commerce Commission; which was ordered to lie on the table, and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment proposing to appropriate \$9,500 for grading, regulating, and macadamizing Albemarle street east from Connecticut avenue extended to Broad Branch road, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. CLARK of Montana submitted an amendment proposing to amend the act of April 23, 1904, relative to the survey and allotment of lands within the limits of the Flathead Indian Reservation in the State of Montana, etc., intended to be proposed by him to the Indian appropriation bill; which was ordered to lie on the table, and be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had approved and signed the following acts and joint resolutions:

On April 19:

S. R. 48. Joint resolution for the relief of sufferers from earthquake and conflagration on the Pacific coast; and

S. 5026. An act providing for the establishment of a life-saving station at or near Neah Bay, in the State of Washington, and for the construction of a first-class ocean-going tug to be used in connection therewith, for life-saving purposes in the vicinity of the north Pacific coast of the United States, and so forth.

On April 21:

S. 980. An act to authorize the sale of a portion of the lower Brulé Indian Reservation in South Dakota, and for other purposes; and

S. R. 49. Joint resolution construing the joint resolution approved April 19, 1906, entitled "Joint resolution for the relief of sufferers from earthquake and conflagration on the Pacific coast."

On April 23:

S. R. 46. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution.

On April 26:

S. 4339. An act to amend section 4502 of the Revised Statutes of the United States, relating to bonds and oath of shipping commissioners;

S. 4925. An act to amend the act approved March 6, 1896, relating to anchorage and movements of vessels in St. Marys River;

S. 2452. An act creating an additional land office in the State of North Dakota; and

S. R. 7. Joint resolution authorizing the Secretary of the Navy to present the bell of the late United States sloop of war *German town* to the Site and Relic Society, of Germantown, Pa.

PUBLIC BUILDING AT KALAMAZOO, MICH.

Mr. BURROWS. I ask unanimous consent for the present consideration of a very brief bill, the bill (S. 5530) authorizing the procuring of additional land for the enlargement of the site for the public building at Kalamazoo, Mich. It will take but a moment.

Mr. TILLMAN. I trust the Senator from Michigan will not try to press that bill. The Senator from Wisconsin [Mr. SPOONER], who is not well, gave notice that he would want to finish his speech this morning. He is ready to proceed, and I hope the Senator will let the bill lie over until later.

Mr. BURROWS. If there is objection to it, I will not press it. It would not take over half a minute.

The VICE-PRESIDENT. Objection is made to the request of the Senator from Michigan.

REPORT ON BEET-SUGAR INDUSTRY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress a report on the progress of the beet-sugar industry in the United States in 1905. Your attention is respectfully invited to the accompanying letter of the Secretary of Agriculture, recommending that 10,000 copies of the report be printed for the use of the Department of Agriculture, in addition to such number as may be desired for the use of the Senate and House of Representatives.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 27, 1906.

The VICE-PRESIDENT. The message will be printed as a public document, and referred to the Committee on Agriculture and Forestry. The question of printing 10,000 additional copies

for the use of the Department of Agriculture, in addition to the usual number, will be referred to the Committee on Printing; and the maps accompanying the message will be ordered printed, if there be no objection.

REGULATION OF RAILROAD RATES.

Mr. TILLMAN. I ask that the unfinished business may be proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12987) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission.

Mr. SPOONER. Mr. President, I thank the Senate for its indulgence, and I will take as little time to-day as will suffice to present a part only of what might properly be presented on this subject.

The Senator from Texas [Mr. BAILEY] seemed to think that the Senator from Pennsylvania [Mr. KNOX] and myself were contending because of the distinction which we draw between judicial power and jurisdiction for some proposition which involved that the *lesser* shall be *larger* than the *greater*. I do not state his precise language. That suggestion, too, I think comes from a confusion of the distinction between *judicial power* and *jurisdiction*. Jurisdiction, as far as it refers to inferior courts of the United States, is a matter of legislation. The exercise of the judicial power where jurisdiction exists is *judicial*. The powers are *utterly different*; and therefore it can not be said that one is less or greater than the other.

Whether a case is made out before a court or judge which, according to the rules and established principles of equity entitle the litigant to a certain remedy, can not be a *legislative* question. That is essentially *judicial*. Will it be contended that the Congress can constitutionally enact a law prohibiting a party to a suit from applying to the court for a remedy, interlocutory, if you please, to which he conceives and which he is advised he is entitled? It would be practically a denial to the suitor if the Congress can control the exercise of judicial power, of the constitutional right of submitting to the chancellor on full hearing the question whether he is or is not entitled to the interlocutory remedy which he seeks.

Suppose this proviso were recast and *prohibited a party* complainant in a bill filed under the provisions of the Senator's amendment, if it were adopted, to apply to the court for an order maintaining the status quo, even though he made it plain to the court that otherwise irreparable loss would ensue, would that be *legislation*? Would it especially be legislation constitutionally enacted under the fifth amendment?

I have a right—every man has a right who is a party to a litigation—to make such application or motion to the court as he may be advised is within established usage in equity or at law, and whether the petition should be granted or denied, whether the remedy should be afforded or withheld, it does not seem to me can be made a *legislative* question.

The Senator from Texas seemed in his speech to have a consciousness that his proviso might be going too far, and his instinct for the law is excelled by that of no man whom I know. I do not mean by that that his legal knowledge is not abundant. He said:

I am willing to leave with the court the right to say how it shall decide these cases—

From my standpoint that is not an option to be exercised by the Congress—

and I only ask Congress to say when it shall decide them. I do not say—and it would be a nullity if Congress were to so say in any statute—that the courts shall decide these cases for the Commission or for the railroads.

Is that the Ultima Thule? Is that the limit of Congressional power? May the legislature go that far and no farther, or go up to that line and be free to limit, hamper, and control the judicial power in all the territory this side of the final decree? It seems to me that proposition refutes itself.

I ask Congress to exercise no power like that, because I know that to be a judicial power.

What is the "power" to be exercised, when the Senator from Texas, on a bill filed for foreclosure, asks for the appointment of a receiver by the chancellor on the presentation of facts which under established usage authorizes such an order? Is not that a judicial power? The power to preserve the property pending the litigation has been inherent in the chancellor from time immemorial.

I only ask Congress to say that the court shall not decide these cases at all until it is ready to decide them *right*, and, according to the Senator from Pennsylvania, that is a *legislative* power.

I think that must be an error.

I am willing to write it in the law that Congress disclaims the power to say how the court shall decide any case, provided that it also be

written that the court shall not decide a case under this law at all until it is ready to decide it right.

A great many questions arise, matters of right as well as matters resting in the sound discretion of the court, pending the proceeding and before the court is ready to decide it "right" or "wrong," and many of those preliminary motions and applications and the power to grant them have been part of the equitable administration and jurisdiction for over two hundred years. The decision of any one of them involves absolutely the exercise of *judicial* power. Is not the "faculty of judgment" in passing upon all applications and motions of necessity as completely exempt from legislative control and dictation as the final decision upon the merits? How would it do to write this disclaimer at the end of the Senator's proviso?

Provided, however, That no rate or charge, regulation or practice prescribed by the Commission shall be set aside or suspended by any preliminary or interlocutory decree or order of the court: *Provided further,* That Congress disclaims any power to dictate to the court what decision it shall make upon any motion or application in accordance with the established principles and procedure in equity properly brought before it in the progress of any such suit in equity.

The first proviso is the Senator's. The second my proposed one to test the soundness of his position.

Obviously the Senator's proviso and mine would eat each other up; and yet, Mr. President, under the Senator's proviso, if the carrier should satisfy the court that the rate fixed by the Commission is *absolutely confiscatory*, the court would be deprived of the *faculty of judgment* upon the subject and denied the power to exercise the function which, I say, inheres in the judicial power of a court. Congress, without any knowledge, would be in the attitude of saying by legislative enactment—as unyielding and arbitrary as anything that could be imagined—that, no matter what should be made to appear to the court in such a case, it should not have the power to suspend the order upon any terms, not even if every dollar received by the carrier was paid into the registry of the court to abide the result of the litigation, and notwithstanding the fact that it was perfectly apparent to the court that the loss to the party complainant would be otherwise irreparable.

Is it possible that Congress can substitute its judgment in such a proceeding for the judgment of the court? This is not a mere rule of practice, Mr. President. Practice and procedure do not generally reach the heart of jurisprudence; and if, under the guise of regulating practice and procedure, the essential and vital jurisdiction in equity is impinged, the court would hold that beyond the power, I think, of the legislature.

RIGHT ARM OF EQUITY.

Equity, it was said one day here, acts *in rem*. The maxim which comes down to us is, "Equity acts *in personam*, not *in rem*." The judgment at common law is satisfied out of the property of the defeated litigant, but, save in few cases, the chancellor enforces his orders and decrees against the person. He constrains the conscience by orders and writs, and punishment for disobedience.

Mr. President, injunction is called, and has been called for over two hundred and fifty years, I think, the "right arm of equity." Without it how could the fundamental power in equity to afford *preventive* relief be accorded?

Injunction, temporary or permanent, is not a mere instrumentality. Disobedience of it is punished as contempt, which is inherent at the common law; and our Supreme Court has held it is inherent in *all courts*. (In re Debs, 158 U. S., 564.) Equity is full of instrumentalities. Some of them, Mr. President, are almost vital to the exercise of the jurisdiction in equity; but the injunction is the "right arm of equity." It is not a mere instrumentality. It is a part of the *body* of equity jurisprudence. This glass in my hand is an instrumentality. The arm is a part of my body; and if it lies within the power of Congress to cut off the right arm of the body of equity jurisprudence, it rests in the power of Congress to cut off the left, and if it may cut off both arms, it may cut off the head and leave nothing of the equity jurisprudence *recognized and established* by the Constitution but an armless and headless trunk.

If the Senator is right, if Congress may exercise the power for which he contends, then Congress may say to a chancellor, "You shall not, whatever case may be presented to you arising under this law—not under another, but under this law—even though essential justice demands it, suspend an order and maintain the existing status upon terms which you think to be just or upon terms which may be prescribed by the statute." I do not believe, on the strength of the authorities which I partly read yesterday, that it is in the power of Congress to take away from the inferior courts of the United States by valid enactment any process necessary to the exercise of its jurisdiction. Admit that the jurisdiction might be withdrawn, but with the jurisdiction existing under an act of Congress, I believe it to be incompetent for Congress to emasculate the ju-

dicial power by depriving the court of the power to carry out its judgments and decrees.

Congress tried that experiment, Mr. President, in the Klein case (13 Wall., 128). I referred to it on a former occasion. The Congress has apparently as unlimited power, under the Constitution, over the appellate jurisdiction of the Supreme Court as it has over any other subject. The Congress has the power to make such exceptions under the Constitution as it may see fit and to regulate the appellate jurisdiction of the Supreme Court; but the Congress can not give it jurisdiction and yet withhold it. It can not give jurisdiction and dictate at the same time how the court shall exercise the judicial power. That was attempted by Congress. By act of Congress the Supreme Court was ordered on appeal, when certain facts appeared to the court, to dismiss the appeal. The court said about it—and I will not take time to restate the case; it is familiar here, for I read it here on another occasion—

It is evident from this statement that the denial of jurisdiction to this court, as well as to the Court of Claims, is founded solely on the application of a rule of decision, in causes pending, prescribed by Congress.

The court has jurisdiction of the cause to a given point; but when it ascertains that a certain state of things exists, its jurisdiction is to cease, and it is required to dismiss the cause for want of jurisdiction.

The court is required to ascertain the existence of certain facts and thereupon to declare that its jurisdiction on appeal has ceased by dismissing the bill. What is this but to prescribe a rule for the decision of a cause in a particular way?

And the Supreme Court held the proviso invalid.

In the case before us the Court of Claims has rendered judgment for the claimant and an appeal has been taken to this court. We are directed to dismiss the appeal, if we find that the judgment must be affirmed, because of a pardon granted to the interstate of the claimants. Can we do so without allowing one party to the controversy to decide it in its own favor? Can we do so without allowing that the legislature may prescribe rules of decision to the judicial department of the Government in cases pending before it?

What does the proviso to the amendment of the Senator from Texas do but prescribe the rule of decision to the court of equity on application made in accordance with established equitable principles for an order maintaining the status quo? It is simply a legislative mandate that every such application as that shall be decided, regardless of the facts, for the Government. I can not believe that that is within the constitutional capacity of the Congress. The Senator from Texas believes otherwise. That is a difference of opinion.

Mr. BAILEY rose.

Mr. SPOONER. I did not mean to say—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Certainly.

Mr. BAILEY. Of course, I do not believe that Congress could command the court to decide a question in favor of the Government. If the Senator from Wisconsin—

Mr. SPOONER. I say "in effect;" I did not say that the—

Mr. BAILEY. The words "in effect" escaped me.

Mr. SPOONER. I did not say "in effect." There is no Senator who heard me who did not understand what I meant.

Mr. BAILEY. Well, I heard the Senator, and I did not understand that he meant that, or I should not have interrupted him.

Mr. SPOONER. I say that would be the effect of this proviso; but the Senator does not think so.

Mr. BAILEY. Ah! If the Senator from Wisconsin will permit me—

Mr. SPOONER. Certainly.

Mr. BAILEY. My contention is that the courts shall have no jurisdiction over that, just as if I should say the courts shall have no jurisdiction over a case involving less than \$2,000. To say that the court shall not decide that question at all, because of a lack of jurisdiction to decide, is one thing; to say that the court may have jurisdiction to decide it and shall decide it in favor of either the plaintiff or the defendant is, to my mind, quite a different thing.

Mr. SPOONER. Oh, Mr. President, that is a new distinction; that is a theory of which I have not heretofore been advised. I have supposed that a court, in order to exercise the judicial power of the Constitution, must have jurisdiction—first, jurisdiction over the subject-matter; second, jurisdiction over the parties. I have never been taught that a court could have jurisdiction over the subject-matter and jurisdiction over the parties, and yet be prohibited from doing, in the exercise of judicial power in that case, what justice demands and what is in accordance with the established usages of the jurisprudence being administered. Test that. If the Congress may clip off a part of the jurisdiction which the court has in the case so as to prevent the court from hearing and deciding a preliminary motion, where must the Congress stop? Congress has a right, then, to cut off enough of the jurisdiction, or, in better words,

judicial power—for everything the court does, Mr. President, where it has jurisdiction of the parties and the subject-matter, is the exercise of judicial power, and involves the faculty of judgment to leave a third or half of a case. On the Senator's theory it is competent for Congress to provide, splitting up the jurisdiction, that in a class of causes the court shall make no decision upon any question or proposition arising in the progress of the suit except the final decree.

Mr. BAILEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Certainly; always.

Mr. BAILEY. Mr. President, probably I can make the issue between the Senator and myself even more definite than he has made it up to this point. I not only affirm that Congress can, to borrow his expression, clip off a part of a jurisdiction here and there, but I affirm that Congress can completely deny all jurisdiction.

Mr. SPOONER. Oh, yes.

Mr. BAILEY. Not only can it take a part and another part and another part, as the Senator expresses it, but the Congress is entirely competent to declare that no circuit court of the United States shall have jurisdiction to entertain any particular kind of suit that the wisdom of Congress may choose to exclude, and if it can exclude all jurisdiction I think there is no difficulty in concluding that it may exclude partial jurisdiction.

THE REAL QUESTION.

Mr. SPOONER. Mr. President, I am not called upon to deny the broad statement which the Senator makes that the Congress can withdraw all jurisdiction from the circuit courts of the United States. I am not called upon, either, to deny that the Congress can withdraw part of the jurisdiction from the circuit courts of the United States and the district courts of the United States over a class or classes of cases enumerated in the Constitution. I am not called upon to deny that the Congress may withhold, or, if having conferred, it may withdraw, jurisdiction over *habeas corpus* as a prerogative writ as contradistinguished from the *ancillary writ* or *writs essential to the exercise of the jurisdiction*. I am not called upon to deny that the Congress may withdraw jurisdiction from the courts over mandamus upon the same basis. I am not claiming, Mr. President, nor need I, that the Congress, having conferred jurisdiction upon the circuit courts of the United States over almost all of the enumerated cases in the Constitution, can not withdraw one jurisdiction and another and another and another. But that is not the question. The question is whether Congress, having conferred jurisdiction upon an inferior court over a class of cases, and not withdrawing that jurisdiction over that class of cases, can, where a case falling within the class is before the court, subdivide that jurisdiction over the one case. I deny it. Congress can confer jurisdiction over a case or it can refuse to confer it, but, Mr. President, when Congress does confer it, the judicial power of the Constitution goes with it as to that particular case, and Congress can not take away, in my judgment, from the court in that case or in cases of that class, the power to hear motions or applications and to decide them as the court thinks fit, subject to correction by the circuit court of appeals or the Supreme Court of the United States.

If Congress may not only clip off the judicial power, but may give the court jurisdiction of a case and take away part of the jurisdiction over that case, what is left? The result of that would simply be this, I think, and that I believe is what this amendment would accomplish: I believe the court would say that it is such an attempted impairment of the jurisdiction that it could not assume it or exercise judicial power under it. I do not believe a court of the United States, sanctioned by the Supreme Court, would deem it possible to take half of the jurisdiction of the Constitution over a particular lawsuit. I think it must be withheld over the particular case or given to the constitutional extent.

There is where the Senator and I run against each other again. We agree up to a certain point. We agree as to the power of the Congress to confer so much of the constitutional jurisdiction over the enumerated cases of the Constitution as it may deem wise. We admit that it may be withdrawn, but if the Senator contends that the jurisdiction over the enumerated cases may be given to the court, and the judicial power as to a case within the class can be split in two, I can not see any earthly foundation upon which to support that contention.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. SPOONER. Yes.

Mr. CARTER. The construction of the word "jurisdiction"

and the term "judicial power" constitutes a point at issue, as I understand, between the Senator from Texas and the Senator from Wisconsin. The Senator from Texas contends that "jurisdiction" and "judicial power" are interchangeable terms, practically synonymous terms.

Mr. BAILEY. Will the Senator from Montana allow me to interrupt him there?

The VICE-PRESIDENT. Does the Senator from Montana yield to the Senator from Texas?

Mr. CARTER. I do.

Mr. BAILEY. I would not want to be put in the position of saying that there is no distinction between them at any time or under any circumstances. My statement was that they are the same when applied to a question like that under consideration.

Mr. SPOONER. I conceded that the Senator had made that qualification.

Mr. BAILEY. Yes.

Mr. CARTER. I understand that to be a fact, and will be glad to follow so as to confine the Senator's express understanding to the particular matter under consideration.

As I understand the issue at this moment being considered, the Senator from Wisconsin falls into what I deem the error of the Senator from Texas, to wit, disregarding the plain distinction between "jurisdiction" and "judicial power." The persons and the subject-matter being within the jurisdiction of the court by proper legal authority, it is proposed by this amendment, not to limit the jurisdiction, but to enter the court room, where the jurisdiction over persons and subject-matter is complete, and there prescribe what the court shall or shall not do with reference to an ancient and well-established course of proceeding in equity.

Therefore I submit to the Senator from Wisconsin that this is an invasion of the judicial power, and has nothing whatever to do with the jurisdiction, which presumably is complete.

Mr. SPOONER. If I did not draw that distinction I thank the Senator for his suggestion. I thought I had that distinction pretty thoroughly embodied by this time in my mind, and that either from intellectual firmness or intellectual stubbornness nobody could eliminate it from my constitution. But if in the haste of debate I did not recognize it the Senator is right, and I thank him.

Mr. CARTER. I understand the Senator to say that the Senator from Texas proposed to divide and subdivide jurisdiction. The Senator from Texas concedes that the jurisdiction of the court over the subject-matter and the parties would be complete.

Mr. SPOONER. Yes; by his amendment. In the heat of debate I very likely used "jurisdiction" where I should have used "judicial power." It must be very apparent from the argument I have made here that I should have used the term "judicial power."

Mr. CARTER. I understood that.

Mr. SPOONER. Because Congress can not give jurisdiction and yet not give it, and where Congress does give jurisdiction Congress can not emasculate the judicial power, or deprive the court of the right to exercise the whole of the judicial power in a given case. The Constitution says: "The judicial power shall extend to all cases," etc. It means the whole of any case over which it is given jurisdiction, not part of the case.

Now, Mr. President, neither the Senator from Texas nor I can find any decision of the Supreme Court upon this question. I should not say, perhaps, that he can not, but I know of none. It has never been presented to the Supreme Court, as I understand it. We can only reason upon general principles and analogies. That it is impossible for Congress to give jurisdiction to a court over a class of cases and yet withhold the full judicial power over cases within that class of cases, or over a single case falling within the class of cases, I think is too plain for debate.

It is a matter of congratulation that in the history of this country, during the last fifty years at least, and perhaps more, there have been rare instances, even in the States, of attempts by the legislature to interfere with the exercise of judicial power as contradistinguished from jurisdiction. Now and then such things have happened. It happened once in California as to tide lands, lands which lay between high and low tide.

On the 18th day of May, 1853, the legislature of California passed an act entitled "An act to provide for the sale of the interest of the State of California in the property within the water-line front of the city of San Francisco." The defendants, in pursuance with the terms of the act, were duly appointed commissioners to examine into and make sale of such interest, and, as such, advertised the property of the plaintiff for sale, in order to satisfy whatever interest the State of California might have therein.

The case was submitted to a referee to report upon the facts, who found that at one time the land in dispute was for the most part below high-water mark, but before the State of California was admitted into the Union the same had been wholly reclaimed and was covered with

buildings and a part used as public highways. That the title of the plaintiffs was derived from grants—

Which I need not read.

Upon this state of facts the court granted a perpetual injunction, as aforesaid.

The act prescribed that no injunction should be issued against the commissioners appointed for the sale of the State interest within the water line, and the court said, dealing with this point:

The legislature can not exercise judicial functions, and therefore can not except one case, or one party, from the operation of a general rule of law, either as to right or remedy. That portion, therefore, of the act of May, 1853, entitled "An act to provide for the sale of the interest of the State of California in the property within the water line," etc., which prescribes that no injunction shall be issued against the commissioners is invalid. (Guy et al. v. Hermance et al., 5 Cal. (Morris).)

They treated it as a legislative interference with judicial power.

Mr. RAYNER. That was a case of final injunction.

Mr. SPOONER. Yes; final injunction. Why may not the legislature, or Congress deal with final injunction as well as with preliminary injunction where it is absolutely necessary to justice, and where the right to grant it in proper case is inherent in the court. Why may not Congress in this case, if it may provide that no injunction shall issue pending final decree, provide that no injunction shall issue pending a final determination by the Supreme Court of the United States of the constitutionality of the rate?

Congress has control over supersedeas. Why may it not go that far if it may begin? It is only attempted here to confer through delegation the power of Congress upon this Commission. Suppose Congress should pass an act prohibiting the carriage of freight from San Francisco to New York at a higher rate than one-quarter of what is now charged and providing that no injunction shall be granted to suspend operations under that law until the Supreme Court of the United States shall have passed upon its constitutionality; would that be valid? It would not be applicable only to one case. It would be applicable to a class of cases. In other words, Mr. President, if Congress in any case may constitutionally supplant the judgment of the court by the mandate of legislation, it is for Congress to draw the line where it will stop.

It was tried in Wisconsin some years ago. I can not take the time to read the case. It applied to the driving of piles in Rock River, Wisconsin. It was enacted that—

It shall be unlawful and presumptively injurious to persons and property to drive piles, build piers, cribs, or other structures in Rock River within the limits of the county of Rock, and the doing of any such act shall be enjoined at the suit of any resident taxpayer without proof that any injury or danger has been or will be caused by reason of such act.

The doing of any such act shall also be enjoined at the suit of any owner or lessee of the right to use water of said river to operate any mill or factory within said county, without proof of any further fact than that such act will cause the water of said river to rise or set back, to some extent, at the place where the water used to operate such mill or factory is discharged into said river.

Why not? That would only be a rule of evidence, would it not? Or would it be more than that? The moment one leaves the beaten track, the moment one forgets that the Constitution created the judiciary a coordinate, equal, and independent branch of this Government, we get into the fog and we get into danger. It might be a rule of decision.

The Senator from Texas [Mr. BAILEY] seemed to think I would exalt the judiciary over the legislative department. I would not. Although the judiciary is to decide upon its jurisdiction, and if it decides wrong in the court of last resort there is above that no court for the correction of the error, I would keep the Congress within the limitations of the Constitution. I would as zealously protect the power and the sovereignty of the States against Congressional invasion as I would protect the power and jurisdiction of Congress against invasion by any other body. I would not consent to assign to the judiciary any other position relatively to the other departments of the Government than that assigned to it by the Constitution, but I do insist that that assigned to it by the Constitution neither nor both of the other branches of the Government can take away from it.

When Congress enacts that in a certain class of cases like the cases covered by the Senator's amendment no injunction shall be granted pending final decree, Congress, to all intents and purposes, decides that justice will not and can not demand, pending final decree, the granting of an injunction. The conclusive legislative presumption is against it. So it does not much differ in effect from this case, from which I will briefly read. I hope some Senator will point out the distinction between the power of Congress to say that an injunction shall

not be granted by the court and to say that an injunction in cases which Congress designates shall be granted by the courts in classes of cases. The court said:

The legislature usurped the judicial power of the courts by the enactment of this statute. It adjudicates an act unlawful and presumptively injurious and dangerous, which is not and can not be made to be so without a violation of the constitutional rights of the defendant, and imperatively commands the court to enjoin it without proof that any injury or danger has been or will be caused by it.

It reverses very many decisions of this court on the very questions involved in it, and which have the effect of a judicial determination of the defendant's rights of property.

It takes away the jurisdiction of the courts to inquire into the facts and determine the necessity and propriety of granting or refusing an injunction in such a case, according to the established rules of a court of equity.

Let me read that again. It should say the "power"—

It takes away the jurisdiction of the courts to inquire into the facts and determine the necessity and propriety of granting or refusing an injunction in such a case, according to the established rules of a court of equity. (*City of Janesville v. Carpenter*, 77 Wis., 288.)

Just as this proviso, if enacted into law, would require the court to deny preliminary injunction, no matter if the duty to issue it, from a judicial standpoint, is as plain as Holy Writ.

I will say to the Senator from Texas—I spoke to him about it once—that there is a case in California (I do not remember the report; I looked at it once hurriedly; it seemed so involved with the code and the constitution of California that I did not get back to it) which seemed to me might sustain his proposition. It is *Spreckels v. The Hawaiian Commercial Company*. He can look it up, or I will look it up.

Mr. BAILEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Certainly.

Mr. BAILEY. I could have found a number of State cases, but the Senator from Wisconsin knows as well as I do that there is scarcely a controverted question in this country which has not been decided both ways by the various State courts, and I did not think it worth the while, I did not think it would enlighten the Senate, to produce here the conflicting decisions of State courts on the same question. Even questions that appear plain to us sometimes as many as thirty supreme courts have decided one way and eight or twelve have decided the other.

Mr. SPOONER. I do not think there has ever been very much difference of opinion between State courts on a question like this.

Mr. BAILEY. Because this particular question has not often been presented. But the Senator will agree with my general statement, that there is scarcely a question presented for judicial determination in the States that different courts have not decided opposite ways.

Mr. SPOONER. I do not know about that. I think I can remember a great many matters upon which there has been almost universal concurrence among the courts of the States. Many of the courts of the States have been illustrious, and there have been on the supreme bench and on the circuit bench in the States a great number of judges whose opinions upon questions of law I would value as highly as any opinion ever delivered in this country. And so, on a general principle like this, where there is no decision of the Supreme Court upon it, and where one must be guided by analogy, I think the Senator and I are at liberty to avail ourselves of the opinions of the State courts.

Mr. BAILEY. I do not want to be put in the attitude of underestimating the State courts, and I think it is no reflection on them that they see the same question in different lights. I only need to remind the Senator from Wisconsin that the Supreme Court of the United States within the last four years has decided almost every important question before it by a vote of 5 to 4. It is no impeachment of their ability or integrity that that is true. Neither do I intend it as any reflection upon the State courts when I say that they have decided the same question opposite ways.

Mr. SPOONER. I did not intend to imply that the Senator disparaged in any way the judiciary of the States, of course.

Now, Mr. President, I have said all I care to say upon the general proposition. While I can not speak *ex cathedra*, nor can any Senator do so, I have an abiding conviction that on general principles this proviso can not constitutionally be enacted.

ARGUMENT AGAINST MY CONTENTION.

I come now to the argument of the Senator from Texas, and, first and briefly, I wish to notice some strictures which that Senator thought proper to pass upon the fairness of a portion of the speech I delivered on a former day. I have seen it stated in newspapers that issued about the time of the Senator's speech that a portion of my speech contained misquotations from decisions. I heard no such imputation from the Senator. Such a

statement could not be maintained for a moment by a cursory reading even of the speech. The Senator from Texas, while criticising a portion of my speech delivered on the first day as misleading, acquitted me of any conscious purpose to mislead the Senate.

It is now thirty-eight years since I began the practice of my profession, which with zeal I pursued during those years except while I have been a member of the Senate. I was taught the law, Mr. President, by a great lawyer, a modest man, of sensitive honor, long since dead, who taught me as the first lesson which a lawyer should learn and never forget, that he is an officer of the court, bound to be frank and fair always with the court, and, subject to that, the advocate of the interest of the client. Never in my life have I forgotten it. The two Senators from Minnesota knew him and both loved him and revered him. I never have failed to bring to the attention of the court an adverse decision when I found it, nor have I ever nor could I ever omit to read from an opinion what seemed adverse to the proposition for which I was contending. My purpose is simply to show—

Mr. BAILEY. Will the Senator from Wisconsin permit me?

Mr. SPOONER. Certainly.

Mr. BAILEY. The Senator from Wisconsin says that I acquitted him from any design to mislead the Senate. I did that, as I recall now, in two different places. I want to say, in justice to him, that I believe him incapable of attempting to deceive either the courts, as he says now, or the Senate, as I say for him. I believe him incapable of attempting to deceive anybody by garbling or misquoting the authorities.

I wish to say, inasmuch as the Senator has referred to it in the open Senate, what I have said to my friends in private conversation, and that is, that so far as any criticism was justified—and I think it was justified against the Senator from Wisconsin—it was due to the fact that he had not examined those cases for himself, but that, under the great pressure upon us all here, he had relied upon somebody else to examine them for him, and that they had not been examined with that care which the Senator from Wisconsin would have employed if he had examined them for himself.

In view of all that has been said in the public prints and in view of what the Senator says, I think that statement ought to be made before the subject passes from us.

Mr. SPOONER. Mr. President, I desire to say to the Senate very briefly that in my opinion neither, if consciously or unconsciously uttered, could anything I said mislead the Senate.

Mr. BAILEY. If I am mistaken in thinking the Senator from Wisconsin had those cases examined by some one for him, I desire to withdraw the explanation I made.

Mr. SPOONER. What did the Senator say?

Mr. BAILEY. I said, if I am mistaken—

Mr. SPOONER. I want to show that a fair construction of my speech will show that what I said constituted no predicate for the charge that the extracts were misleading. That is a matter of opinion.

Mr. BAILEY. Yes; and of course I am perfectly willing to meet that, if it is to become a subject of discussion. But I do not want to make a statement as to the course pursued by a brother Senator if I am mistaken about it; and if the Senator examined those authorities for himself, waiving the question whether the extracts were misleading or not, I want to withdraw the explanation which I have made to my friends in private conversation and the explanation which I have offered now.

Mr. SPOONER. Mr. President, I never asked any man's silence about me, nor shall I. I propose to maintain, if I can, and I would leave that to a jury composed entirely of manly enemies—I would leave it to the Senator from Texas, who is not my enemy, although he drew inferences which he thought were justified from what he found in my speech, that the matters to which he called attention are not justly subject to such criticism.

First, the Senator criticised as misleading what I read from *Julian v. Central National Bank* (169 U. S., 432) in connection with my observations upon the power of courts, notwithstanding section 720, Revised Statutes, to issue injunctions restraining proceedings in State courts.

The cases cited in the extract which I read are in the opinion of the Supreme Court sustaining the proposition announced. I did not examine the cases cited in the opinion. I assumed that the Supreme Court could be relied upon to cite cases which support the doctrine which the court announces. I read first a statement of the case from the syllabus, and then I read *connectedly* the statement of the court as to the power of Federal courts to issue injunctions enjoining proceedings in State courts. I also stated that the rule always has been that where the Fed-

eral courts first acquired jurisdiction it issued such injunctions as were necessary to protect the jurisdiction first acquired and so it has been.

It never occurred to me that anyone could draw from my remarks or the language I quoted from the court an inference that it involved the proposition that section 720 is unconstitutional. I had admitted the binding force of the section in another part of the speech and had justified it, claiming that it was not at all antagonistic to my contention, for reasons which I do not take time to repeat. I could not for a moment imagine that anyone could fancy even that I cited the Julian case as an authority for the contention that section 720, prohibiting Federal courts from enjoining proceedings in State courts, is unconstitutional, because I knew that for *one hundred and thirteen years* that statute has been in existence and obeyed, and that it was sustained thirteen or fourteen years after its enactment by the Supreme Court of the United States. For the life of me I can not see, on reviewing that part of my speech, where anything can be found in it justifying the suggestion that it was misleading, and I pass that.

The Senator then commented on Mr. Justice Story's "essay," as he termed it, in *Martin v. Hunter's Lessees*, 1 Wheat, 304. It is only fair for me to say that I did not make that extract. I asked a lawyer friend of mine, as I was not able to use my eyes at night, to run down some authorities for me, and that was sent to me, typewritten and italicized, as was the extract from *Ex parte Crane*.

The elaborate quotation from Mr. Justice Story's opinion, although interesting, is quite irrelevant, and, moreover, emphasizes his opinion that Congress was bound to confer all of the judicial power upon the inferior courts, when I had conceded early in my speech that that is not the law. I had said, on page 4, if the Senator has it before him:

I concede, under the decisions, of course, that the circuit and district courts of the United States are statutory courts; that they do not derive their jurisdiction immediately from the Constitution. They are created by Congress. Their jurisdiction is to be found in the legislation of Congress. For many years Congress withheld from their jurisdiction a large number of cases or controversies enumerated in the Constitution. That Congress could lawfully do this I do not question.

A part of Mr. Justice Story's opinion quoted asserts the contrary doctrine. So a part of the extract from *Ex parte Crane* asserts a contrary doctrine, the italics in neither case being mine.

But, Mr. President, that certainly could mislead no one who reads the speech with any care or who reads it without unfriendliness, as I know the Senator read it.

There is one part in Mr. Justice Story's opinion upon which I relied, and *one only*. The extract led up to it, and inserting stars, not to make it too long, and to call attention to the fact that something was omitted, I quoted the language, putting it in small caps to emphasize it in the strongest possible way as the language to which I particularly desired to call attention:

BUT EVEN ADMITTING THAT THE LANGUAGE OF THE CONSTITUTION IS NOT MANDATORY, AND THAT CONGRESS MAY CONSTITUTIONALLY OMIT TO VEST THE JUDICIAL POWER IN COURTS OF THE UNITED STATES, IT CAN NOT BE DENIED THAT WHEN IT IS VESTED IT MAY BE EXERCISED TO THE UTMOST CONSTITUTIONAL EXTENT.

The statement in my speech on the first day that "it was dissented from only by one justice, and not by any as to the portion of it which declares specifically the law to be as I am contending for it" was too broad, which is apt to occur to one who frames his sentences as he utters them, as I do. I referred to Mr. Justice Johnson, whose opinion was a concurring not a dissenting opinion, as having criticised some of the reasoning of Mr. Justice Story. The point which I had in my mind, as emphasized above, he did not criticize. On the next day I quoted again that clause of the opinion, and it only, thus:

Mr. President, I put against all comers on this question the statement of Mr. Justice Story in the case to which I called attention yesterday—*Martin v. Hunter*, reported in 1 Wheaton—at the end of an elaborate argument on the construction of the judicial clauses of the Constitution:

"BUT EVEN ADMITTING THAT THE LANGUAGE OF THE CONSTITUTION IS NOT MANDATORY AND THAT CONGRESS MAY CONSTITUTIONALLY OMIT TO VEST THE JUDICIAL POWER IN COURTS OF THE UNITED STATES, IT CAN NOT BE DENIED THAT WHEN IT IS VESTED IT MAY BE EXERCISED TO THE UTMOST CONSTITUTIONAL EXTENT."

That was one of the first opinions of the Supreme Court on the construction of the judicial clauses of the Constitution. It found its way in extenso into Judge Story's Commentaries upon the Constitution. No one of the great judges who sat with him on that bench, save Mr. Justice Johnson, criticised anything in that opinion. It is not to be supposed that Chief Justice Marshall was not familiar with it; that Mr. Justice Washington was not familiar with it; that Mr. Justice Livingston was not familiar with it; and had it not met their concurrence it is sure, from the practice of the judges of that day, that the dissent from its argument, even if its conclusions were approved, would have found its way into the reports. Mr. Justice Johnson criticised a portion of the opinion, although not that portion of it.

My statement the second day, that "Mr. Justice Johnson criticised a portion of the opinion, although not that portion of it,"

could only be construed, I think, as referring to the *five lines from Mr. Justice Story's opinion*, which I had just quoted for the second time. It was that quotation to which I referred when I said that Mr. Justice Johnson criticised a portion of the opinion, although not that portion of it. In fact, Mr. Justice Johnson did not criticize that portion of it, and in his opinion in the case of the *Resource* he announced the same doctrine, and that is the doctrine for which I have been contending to-day, and it is a statement the accuracy of which I have never seen or heard anywhere impeached before that when Congress does vest the judicial power in courts of the United States, "it can not be denied that it may be exercised to the utmost constitutional extent."

The Senator says I did not state the point of the decision. That is true. I would have assumed that to lawyers it was not necessary to state the point of the decision in *Martin v. Hunter's Lessee*. The Senator has used many extracts from cases without stating the point of the decision. I hunted up the cases to which he referred in his first speech to determine how far the language which he quoted was obiter and how far it was a part of the *ratio decidendi*.

As to the extract from *Ex parte Crane*. The Senator said it was so phrased at the outset, thus: "It is said by Mr. Justice Baldwin in *Ex parte Crane*" (5 Peters, 190-192), as to lead any lawyer to suppose it was the opinion of the court. Possibly that is so. I should not so regard it. That was part of the extract sent to me. It has been my habit to say "the court says," or "Mr. Justice—speaking for the court—says." Other lawyers may do differently, and it may be that the Senator is right; but while the extract is utterly irrelevant to any contention in my speech, while it asserts his opinion to be in accord with that of Mr. Justice Story, which I had conceded not to be the law, the extract carries on its face indubitable evidence, so that it could not mislead anybody, that he regarded his opinion as against the uniform decisions of the Supreme Court of the United States upon the subject. Let me read it. It is brief:

Though the courts of the United States are capable of exercising the whole judicial power as conferred by the Constitution, and though Congress are bound to provide by law for its exercise in all cases to which that judicial power extends—

Those were not my italics—

YET IT HAS NOT BEEN DONE, AND MUCH OF IT REMAINS DORMANT FOR THE WANT OF LEGISLATION TO ENABLE THE COURTS TO EXERCISE IT, IT HAVING BEEN REPEATEDLY AND UNIFORMLY DECIDED BY THIS COURT THAT LEGISLATIVE PROVISIONS ARE INDISPENSABLE TO GIVE EFFECT TO A POWER TO BRING INTO ACTION THE CONSTITUTIONAL JURISDICTION OF THE SUPREME AND INFERIOR COURTS.

I think the Senator will on reflection not feel justified in saying what he says in one part of his speech as to this extract.

The Senator quotes this, which he thought ought to have been added. I submit to him that it adds nothing to the evidence afforded by the extract in my speech that the decisions of the Supreme Court had been uniformly against the proposition that all the judicial power must be vested in inferior courts of the United States.

These principles remain unquestioned. They have long been settled, as the judicial exposition of the Constitution, on solemn argument and the gravest consideration; and they are binding on all courts and judges. I shall ever be found among the last to oppose my opinion in opposition to the results of the deliberate judgment of the highest tribunal when thus formed. (*Ex parte Crane*, 5 Peters, 30 U. S. Reports, 202.)

And there was much more in the same line of thought which the Senator could have added, but if the Senator will place that alongside the extract found in my speech I know he will say that it adds nothing to the extract except the declaration of the justice's devotion to duty and his obligation, although differing from the court on that subject, to stand by the decisions of the court. The Senator said:

The Senator from Wisconsin gave the Senate the benefit of Judge Baldwin's opinion upon the political duty of Congress to invest the court with the whole judicial power of the Government, but he neglected to give the Senate the benefit of Judge Baldwin's admission that the court had not taken the same view of the question which he expressed.

Is that so?

I do not intend in saying this to insinuate that the Senator from Wisconsin designed to mislead the Senate.

Of course the Senator would not insinuate that, but on the merits of the matter it is so that the extract which I read did not inform anyone that the uniform decisions of the Supreme Court of the United States had been just as he states in different language in what the Senator added? I regret that it is there, Mr. President, not because it is misleading, but because it is irrelevant and a blemish in the speech.

The Senator also criticised me with reference to the extract from the *Wheeling Bridge* case. (13 How., 518.) I do not think the criticism a just one, although I know perfectly well that

the Senator would consciously do me no injustice. I quoted the following:

In exercising this jurisdiction the courts of the Union are not limited by the chancery system adopted in any State, and they exercise their functions in a State where no court of chancery has been established. The usages of the high court of chancery in England, wherever the jurisdiction is exercised, govern the proceedings. This may be said to be the common law of chancery, and since the organization of the Government it has been observed.

Under this system, where relief can be given by the English chancery similar relief may be given by the courts of the United States.

The Senator complains that I omitted the following:

In *Robinson v. Campbell* (3 Wheat., 222) it is said: "The court therefore think that, to effectuate the purposes of the legislature, the remedies in the courts of the United States are to be at common law or in equity, not according to the practice of State courts, but according to the principles of common law and equity, as distinguished and defined in that country from which we derive our knowledge of those principles."

And also contends that there should have been inserted before the sentence quoted, after the stars, the words:

By the act of Congress of 1828, proceedings at law, in the courts of the United States, are required to conform to the modes of proceeding in the State courts; but there is no such provision in regard to courts of chancery.

The extract from the *Robinson* case might well have been inserted; it is a stronger exposition of the proposition I was making, which was simply to put before the Senate the relation of the equity jurisprudence of this country to the system administered in England when the Constitution was adopted than was the extract which I quoted.

The reference to the act of Congress of 1828 would seem to be of no relevancy whatever. Out of abundance of caution, as I always do, I inserted stars, to advise anyone who might read it that there was an omission. Could either omission mislead anyone? It did not and does not occur to me so.

I think every lawyer knows that over a hundred years ago Congress conformed the proceedings at law in the Federal courts to the proceedings at law in the States, and that it has never made any such provision as to equity for one good reason that in some of the States they had abolished the distinction between law and equity, and in one State, I think, the State of Louisiana, they never had any such distinction. Nor could any inference be drawn from it at all upon the questions which we are contesting, for I never have contended for a moment that Congress might not change the practice and modes of procedure in equity not affecting the essential principles and remedies of the system.

I believe that is the end of the criticisms made by the Senator. I refer to them because there went out the imputation that there was concealment and unfairness in it, a thing of which I hold myself incapable.

Mr. BAILEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Certainly.

Mr. BAILEY. I wish to incorporate into the Senator's speech in this connection my language, to show just how careful I was against making a direct criticism against him in reference to section 720. I want to call his attention to the fact that I said:

To say that, "notwithstanding this plain prohibition"—

And I put that in quotation marks to indicate that it was taken from the Senator's speech—

the courts had granted the injunction, might mean that the Supreme Court had held that injunctions could be granted contrary to the provisions of that law, and this would seem to imply a doubt as to the constitutional power of Congress over the subject.

So the Senate will see that I was very careful indeed.

Mr. SPOONER. The Senator does not claim that the quotation from the opinion of the court was not accurate.

Mr. BAILEY. Oh, no.

Mr. SPOONER. Nor does he contend that there was anything in the decision pertinent to the subject which was not given.

Mr. BAILEY. I do not.

Mr. SPOONER. But the Senator finds it in one of the cases cited in the opinion, as I understand it—

Mr. BAILEY. Upon which that was based.

Mr. SPOONER. I did not look at that. I assumed that the Supreme Court would refer to no decisions which did not sustain their proposition. Moreover, it never entered by mind that anybody could infer from anything I had said that there is any doubt whatever about the constitutionality of section 720.

Mr. BAILEY. I read the Senator's speech while I was returning to Washington on the train, and when I read that part of it it created upon my mind the very impression that is created here, that it might mislead those who were not familiar with the cases upon which it was based.

Mr. SPOONER. I take it that that would be the fault of the Supreme Court, not mine.

Mr. BAILEY. I am not willing to accept that; but at any rate, remembering the very ground upon which the first decision was based, and the others following it, I thought it proper to put it in. I am doing this now for a double reason, first, as a matter of justice to myself to show that I do not recklessly accuse Senators of intending to mislead, and, next, to show in the Senator's own speech that I made no such charge against him in that respect.

Mr. SPOONER. The Senator, I said, acquitted me of that.

Mr. BAILEY. I did expressly, and I used the words, if the Senator will refer to the speech, that will be calculated to mislead those who are not familiar with the case.

Mr. SPOONER. Mr. President, I think a layman who read it would not draw that inference from it, and I am quite certain lawyers would not. At any rate, the proposition in my speech rests entirely upon the language of the Supreme Court of the United States which cited these decisions. The Senator as a lawyer knows that for one hundred and thirteen years section 720 has been in operation, many, many times dealt with, and never challenged as to its constitutionality. I think if the Senator had been discussing that question, which is purely a legal question, it would not have entered into his mind that a lawyer—a layman seldom reads decisions—could infer from anything said by the court that it intended to challenge the constitutionality of section 720.

That is all. I apologize for having said a personal word. I have wished to correct the impression which went out to some newspapers upon the subject. Now, Mr. President, I have done with it.

ANTI-INJUNCTION BILLS.

What does the Senator from Texas in his remarkable speech—remarkable in many ways—urge by way of precedent or authority against my contention? First, he cites the anti-injunction bills in Congress. I have been here for sixteen years, and I do not stop to spend any time upon the legislative history of the anti-injunction bills, which in a time of public excitement and passion and political disquiet have gone through one House or the other. Whatever as authority they are worth, my opponents upon this question are entitled to.

HABEAS CORPUS.

I come to the writ of habeas corpus. The Senator seems very largely to rely upon the fact that Congress has asserted its power to *abridge* the right of the courts to issue even "the great writ of liberty." Has the Congress ever abridged the power of the courts to issue the great writ of liberty? The Senator is usually extremely accurate. The Senator was not accurate, I think, in using the word "*abridge*." He would be if the courts possessed an inherent power to issue writs of habeas corpus; but they do not. That is a common-law writ. These are not common-law courts. I read what Chief Justice Marshall said in the *Swartwout* case (4 Cranch, 75); the Senator cited it and I will read but a word from it:

Courts which originate in the common law possess a jurisdiction which must be regulated by the common law, until some statute shall change their established principles; but courts which are created by written law, and whose jurisdiction is defined by written law, can not transcend that jurisdiction.

And he holds:

The reasoning from the bar, in relation to it, may be answered by the single observation, that for the meaning of the term habeas corpus, resort may unquestionably be had to the common law; but the power to award the writ by any of the courts of the United States must be given by written law.

I agree to that. So the failure of Congress to confer upon the courts jurisdiction over suits of habeas corpus, for it has been held to be a suit within the judicial power of the United States, does not *abridge* any power or right of the courts. It was a high prerogative writ. It simply withholds jurisdiction from the courts in one of the cases in which under the Constitution it might be conferred by the Congress. No prerogative writ, Mr. President, was brought across the seas by our forefathers to be inherited by the courts of the United States. That has been repeatedly established. Judge Betts, of New York, in an able opinion denying the writ in 1844 held, first, that a circuit court of the United States could not exercise the common-law functions of *parens patrie* and had no common-law jurisdiction over the matter; second, that the court had not judicial cognizance of the matter by virtue of any statute of the United States. This was sound. The courts do not represent any sovereign in this country, Mr. President.

Mr. Justice Wilson, in *Chisholm v. Georgia* (2 Dall, 457), says:

To the Constitution of the United States the word "sovereign" is totally unknown. There is but one place where it could have been used with propriety. But even in that place it would not perhaps have

comported with the delicacy of those who ordained and established that Constitution. They might have announced themselves "sovereign" people of the United States. But serenely conscious of the fact, they avoided the ostentatious declaration.

The inferior courts of the United States have no power to exercise jurisdiction in habeas corpus unless that power is conferred by law. Congress represents the only sovereign—the people. The power to issue prerogative writs in most of the States depends upon the acts of the legislature. The power to issue prerogative writs by the inferior courts depends upon the act of the Congress. But, Mr. President, the Congress of the United States was under constitutional duty to confer jurisdiction upon some court or courts of the United States to issue "the great writ of liberty." Whether Congress would do it or not was not a question between the courts and the Congress. Their failure to do it would not weaken at all the exercise of existing jurisdiction in the courts. It would not degrade in the slightest the courts any more than withholding jurisdiction in other matters in which it might be conferred affected the power of the court. Whether Congress should confer that power on the court is a question between the Congress and the people.

They gave early, over a hundred years ago, to the courts the right to issue the writ and all writs necessary to the exercise of their jurisdiction and in accordance with law. They gave within fair limits for the time, Mr. President, the right to issue the prerogative writ to inquire as to the validity of a commitment. They did not make it general. So far as they gave it, it could be exercised, and so far as they did not give it, it could not be exercised.

Chief Justice Marshall says:

It may be worthy of remark that this act was passed by the First Congress of the United States, sitting under a Constitution which had declared "that the privilege of the writ of habeas corpus should not be suspended, unless when, in cases of rebellion or invasion, the public safety might require it."

Acting under the immediate influence of this injunction, they must have felt, with peculiar force, the obligation of providing efficient means by which this great constitutional privilege should receive life and activity; for if the means be not in existence, the privilege itself would be lost, although no law for its suspension should be enacted. Under the impression of this obligation they gave to all the courts the power of awarding writs of habeas corpus. (Ex parte Bollman and Swartwout, 4 Cranch, 95.)

Habeas corpus is the privilege of the citizen, not a right of the courts.

MANDAMUS.

I need not repeat it, but all I have said as to habeas corpus is applicable also to the writ of mandamus. So far as it is a merely "judicial writ," essential to the exercise of jurisdiction, the power to issue it was conferred upon the courts of the United States by the judiciary act of 1789. It is a common-law writ, and essentially a high prerogative writ, called "one of the flowers of the King's bench," and issued alone out of the court of King's bench. If the right to issue the writ in any form could be said to inhere in any court of this country, it would certainly be in the common-law courts of general jurisdiction, existing in a State in which the common law had been adopted. Certainly the power to issue the writ would not exist in the courts of the United States unless conferred upon them by law.

It is said in *Kendall v. United States* (12 Pet., 619) by Mr. Justice Thompson, speaking for the court:

The theory of the British Government, and of the common law, is that the writ of *mandamus* is a prerogative writ, and is sometimes called one of the flowers of the Crown, and is therefore confided only to the King's bench, where the King, at one period of the judicial history of that country, is said to have sat in person, and is presumed still to sit. And the power to issue this writ is given to the King's bench only, as having the general supervising power over all inferior jurisdictions and officers, and is coextensive with judicial sovereignty. And the same theory prevails in our State governments, where the common law is adopted, and governs in the administration of justice; and the power of issuing this writ is generally confided to the highest court of original jurisdiction. But it can not be denied but this common-law principle may be modified by the legislature in any manner that may be deemed proper and expedient. No doubt the British Parliament might authorize the court of common pleas to issue this writ, or that the legislature of the States where this doctrine prevails might give the power to issue the writ to any judicial tribunal in the State, according to its pleasure; and in some of the States this power is vested in other judicial tribunals than the highest court of original jurisdiction.

It is not, of course, to be doubted that legislation is necessary to confer jurisdiction upon the courts of the United States over *mandamus* as a case. Absence of such legislation does not abridge the right of the court in any way, for without the legislation it possesses no right to issue the writ at all.

How the distinguished Senator from Texas finds in the fact that the inferior courts can not exercise jurisdiction over the writs of habeas corpus and mandamus without legislative authority support for the proposition contained in this proviso to his amendment for the life of me I can not see. Reduced to a syllogism, it resolves itself into this:

Congress may confer jurisdiction upon the inferior courts of the United States over suits of mandamus and habeas corpus.

Congress may withhold from the courts of the United States jurisdiction over mandamus and habeas corpus.

Therefore Congress may in a case over which it has conferred jurisdiction upon an inferior court of the United States control and direct the steps which shall be taken therein pending the final determination thereof.

It seems, Mr. President, a perfect *non sequitur*.

PROHIBITION OF SUITS RESTRAINING THE ASSESSMENT AND COLLECTION OF TAXES.

The Senator also referred to section 3224, Revised Statutes, which is:

No suit for the purpose of restraining the assessment or collection of any tax shall be maintained in any court.

I am surprised again that the Senator from Texas should find here any support by way of precedent for his contention. The power to lay taxes, Mr. President, is a sovereign power.

Mr. BAILEY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Certainly.

Mr. BAILEY. That power is granted in precisely the same part of the Constitution as is the power to regulate commerce.

Mr. SPOONER. Certainly.

Mr. BAILEY. Which is the power we are proposing to exercise in this bill.

Mr. SPOONER. Yes; but, Mr. President, the power proposed to be exercised by Congress in this bill must be exercised subject to the Constitution. The Senator thinks one way as to whether this would be exercising it under the Constitution, and I think another; so that it is rather *petitio principii* to make that suggestion.

But what I was saying is that the power to tax is a sovereign power, and no one knows better than the Senator that whether the Government will allow itself to be sued in any case is for the Government to say. It may be unjust; it may, from the standpoint of fair play, be mean; but in the last analysis, Mr. President, Congress may provide that in no case shall the Government of the United States be liable to suit. There is nothing better settled than that.

The Congress permitting the Government to be sued may, of course, prescribe the precise conditions upon which the suit may be brought. It may dictate the form of the suit and may designate the court in which it may be maintained. The rule has often been recognized that public policy will not permit—and it would seem to be manifest—judicial intervention in respect of the assessment and collection of governmental revenue. Section 3226 provides that:

No suit shall be maintained in any court for the recovery of any internal tax alleged to have been erroneously or illegally assessed or collected, etc., until appeal shall have been duly made to the Commissioner of Internal Revenue, and a decision of the Commissioner has been had therein: *Provided*, That if such decision is delayed more than six months from the date of such appeal, then the said suit may be brought, without first having a decision of the Commissioner, at any time within the period limited in the next section—

Which is two years.

It is said in *Nicholl v. United States* (7 Wall., 122):

The immunity of the United States from suit is one of the main elements to be considered in determining the merits of this controversy. Every government has an inherent right to protect itself against suits, and if, in the liberality of legislation, they are permitted, it is only on such terms and conditions as are prescribed by statute. The principle is fundamental, applies to every sovereign power, and but for the protection which it affords the government would be unable to perform the various duties for which it was created. It would be impossible for it to collect revenue for its support, without infinite embarrassments and delays, if it was subject to civil processes the same as a private person.

UNITED STATES V. UNION PACIFIC RAILROAD COMPANY.

The Senator from Texas also cited the case of the United States *v. Union Pacific Railroad Company* (98 U. S., 569), properly characterizing it as based upon an extraordinary statute, which was sustained by the court. I find nothing either in the statute or in the decision upon it which sustains the proviso of the Senator from Texas.

The act of Congress before the court will be found in the Seventeenth Statutes at Large, 508. Briefly stated, it directed the Attorney-General to bring a suit in equity in some circuit court of the United States against the Union Pacific Railroad Company, and a great many people living in different parts of the United States, upon various causes of action, authorized subpoenas to be served wherever those persons lived, and made such service as effective for the purposes of jurisdiction over the parties in the case as if they had been served in the district in which they severally resided, and authorized all the causes of action to be combined in one suit, although it is admitted—and I admit it—that without the act of Congress the

bill would have been demurrable for being multifarious. The right of Congress to provide by special act for the issue of process running throughout the United States and bringing parties into a lawsuit pending in a district in which they do not reside, in exception to the general rule, was attacked in the Supreme Court. The court sustained the act.

Mr. President, it is perfectly within the power of Congress to make the subpoenas of the courts of the United States run throughout the jurisdiction of the United States, if Congress sees fit to do it. This was the first case I remember, but not the last, in which that was done. The Sherman antitrust law contains a provision of that kind. I offered the amendment to it, when I was first a member of the Senate, under which a subpoena could be served effectively in a suit under the Sherman antitrust law on anyone within the jurisdiction of the United States to bring the party into court, and it was adopted.

Mr. Justice Miller, delivering the opinion, says:

Whether parties to a suit shall be compelled to answer in any court of the United States wherever they may be served with process, or shall only be bound to appear when found within the district where the suit is brought, is mere matter of legislative discretion, a discretion which ought to be governed by considerations of convenience, expense, etc., but which, when exercised by Congress, is controlling in the courts.

The Senator, I think, did not read the whole opinion, because it is perfectly clear from the opinion that this decision is not in support of his contention for this reason: The court held that, without the act of Congress, if cases involving the matters complained of had been separately brought in the same court had been pending, all being of equitable cognizance, they could have been consolidated under existing rules into one suit, and the court said, so far as this is concerned, speaking of the rule in regard to multifariousness:

The rule itself, however, is a very accommodating one, and by no means inflexible. Such as it is, however, it is under the control of the legislative will, and may be modified, limited, and controlled by the same power which creates the court and confers its jurisdiction. *It is simply a matter of practice.*

The italicized words are not found in the official report, but are in the opinion *certified* in the Lawyers' Cooperative Edition by the clerk of the Supreme Court. I sent and had it compared with the original opinion, and it is in the original opinion.

It is simply a matter of practice. The Constitution imposes no restraint in this respect upon the legislative power of Congress. Section 921 of the Revised Statutes, which has been the law for fifty years, declares that when causes of like nature or relating to the same question are pending the court may consolidate them or make such other orders as are necessary to avoid costs and delay. It is everyday practice, under this rule, to do what the statute authorizes to be done in the case before us.

But it is argued that the statute is special, confers a special jurisdiction to try a single case, and is intended to confer new and substantial rights on the complainant at the expense and by a corresponding invasion of the rights of the defendants.

It does not create a new or special tribunal to try the case. All the circuit courts of the United States were, by the act, invested with the jurisdiction whenever called into action by filing the bill. Nor was any new power conferred on these courts beyond those which we have considered as affecting the mode of procedure.

STEPHENS V. CHEROKEE NATION.

Mr. President, the distinguished Senator from Texas cited what seemed to be—and I thought it had considerable instant effect—a Congressional precedent, which he insisted sustains so far as Congressional precedent can sustain it, his proviso. It is found in an act of Congress considered by the Supreme Court in the case of *Stephens v. Cherokee Nation* (174 U. S., 445). The statement of facts is complicated, and it is not necessary to go into the subject at any length. There were 162 appeals to the Supreme Court of the United States in citizenship and allotment cases which arose under the administration of the Dawes Commission. Appeals were allowed by Congress from the United States courts in the Indian Territory direct to the Supreme Court in all citizenship cases and in all cases between either of the Five Civilized Tribes and the United States involving the constitutionality or validity of any legislation affecting citizenship or the allotment of lands in the Indian Territory, under the rules and regulations governing appeals to said court in other cases, with a proviso that—

Appeals in cases decided prior to this act must be perfected in one hundred and twenty days from its passage; and in cases decided subsequent thereto, within sixty days from final judgment; but in no such case shall the work of the Commission to the Five Civilized Tribes be enjoined or suspended by any proceeding in, or order of, any court, or of any judge, until after final judgment in the Supreme Court of the United States.

The proviso was claimed to be retrospective as to a large class of the appeals, and therefore void. The court held that the appeal granted "was intended to extend only to the constitutionality or validity of the legislation affecting citizenship or the allotment of lands in the Indian Territory," both as applied to citizenship cases and to cases between either of the Five Civilized Tribes and the United States. No question was made

as to the provision about injunction, because it was not involved. The court says:

The contention is that the act of July 1, 1898, in extending the remedy by appeal to this court was invalid because retrospective, an invasion of the judicial domain, and destructive of vested rights. By its terms the act was to operate retrospectively, and as to that it may be observed that while the general rule is that statutes should be so construed as to give them only prospective operation, yet where the language employed expresses a contrary intention in unequivocal terms, the mere fact that the legislation is retroactive does not necessarily render it void.

And while it is undoubtedly true that legislatures can not set aside the judgments of courts, compel them to grant new trials, order the discharge of offenders, or DIRECT WHAT STEPS SHALL BE TAKEN IN THE PROGRESS OF A JUDICIAL INQUIRY, the grant of a new remedy by way of review has been often sustained under particular circumstances. (*Caldier v. Bull*, 3 Dall., 386; *Sampeyreac v. United States*, 7 Pet., 222; *Freelard v. Smith*, 2 Wall., 160; *Garrison v. New York*, 21 Wall., 196; *Freeland v. Williams*, 131 U. S., 405; *Essex Public Road Board v. Skinkle*, 140 U. S., 334.)

The United States court in the Indian Territory is a legislative court and was authorized to exercise jurisdiction in these citizenship cases as a part of the machinery devised by Congress in the discharge of its duties in respect of these Indian tribes, and assuming that Congress possesses plenary power of legislation in regard to them, subject only to the Constitution of the United States, it follows that the validity of remedial legislation of this sort can not be questioned unless in violation of some prohibition of that instrument.

In its enactment Congress has not attempted to interfere in any way with the judicial department of the Government, nor can the act be properly regarded as destroying any vested right, since the right asserted to be vested is only the exemption of these judgments from review, and the mere expectation of a share in the public lands and moneys of these tribes, if hereafter distributed, if the applicants are admitted to citizenship, can not be held to amount to such an absolute right of property that the original cause of action, which is citizenship or not, is placed by the judgment of a lower court beyond the power of reexamination by a higher court, though subsequently authorized by general law to exercise jurisdiction.

I do not find anything in the case which supports the Senator's proposition. On the contrary, there is pertinent language in the opinion adverse to it. The only court which was clothed with jurisdiction of the matters involved was the United States district court (misnamed, the supreme court, say, so far as the word "district" is concerned) of the Indian Territory. The Dawes Commission was an administrative body, vested with quasi judicial functions, administering on behalf of the Government and under authority of Congress trusts which the Government had assumed in its relations to the Indians. I do not know the occasion for the prohibition of injunction until the cases should be decided by the Supreme Court, but I do not think the Commission could have been sued at all without the consent of Congress, nor do I doubt the power of Congress to say that in a suit against the Government, which a suit against the Commission practically would be, they should not be sued, or injunction issued to stop their administrative duties anywhere, until the constitutionality of the law had been decided by the Supreme Court.

The power of Congress over the Indians was plenary; the power of Congress over the Dawes Commission was plenary; the power of Congress over the purely legislative court in which the jurisdiction was vested was plenary, with the single limitation that in disposing of a case pending before it it would not be subject to legislative dictation. The power of Congress over the Territory was plenary.

Mr. President, a few words and I have done with this subject. It is my conviction that on the general principle the incorporation of the amendment prohibiting the court from suspending the rate in a suit brought to prevent its enforcement pending a final decree is not constitutional. If I am wrong on the general principle upon which I have been discussing this matter, and my conviction is that I am right, I am not able to entertain any doubt whatever that in a suit brought by a carrier to restrain the enforcement of a rate fixed by the Interstate Commerce Commission under the operation of this bill an attempt to prevent the court from suspending the rate pending final decree can not be upheld.

This bill is an exercise by Congress of the constitutional power to regulate commerce among the several States. That power, it has been often held, is not without limitation. It is said in *Monongahela Navigation Co. v. United States* (148 U. S., 334):

But like the other powers granted to Congress by the Constitution, the power to regulate commerce is subject to all the limitations imposed by such instrument, and among them is that of the fifth amendment we have heretofore quoted. Congress has supreme control over the regulation of commerce, but if, in exercising that supreme control, it deems it necessary to take private property, then it must proceed subject to the limitations imposed by this fifth amendment, and can take only on payment of just compensation.

It is conceded, for it has been too often determined to be susceptible of doubt, that the fixing of rates either by the States or by the United States, directly by law or by an administrative board through a power delegated by the legislature, can not constitutionally be made conclusive. The court said in *Chi-*

cago, Milwaukee and St. Paul Railway v. Tompkins (176 U. S., 172):

When we recall that, as estimated, over ten thousand millions of dollars are invested in railroad property, the proposition that such a vast amount of property is beyond the protecting clauses of the Constitution, that the owners may be deprived of it by the arbitrary enactment of any legislature, State or national, without any right of appeal to the courts, is one which can not for a moment be tolerated.

It was said in Chicago, Milwaukee and St. Paul Rwy. Co. v. Minnesota (134 U. S., 458):

The question of the reasonableness of a rate of charge for transportation by a railroad company, involving as it does the element of reasonableness, both as regards the company and as regards the public, is eminently a question for judicial investigation, requiring due process of law for its determination.

It is settled that the property of a railway company is private property, like unto other private property, save that it is affected with a public use, giving the public the right to regulate its use to prevent extortion and unjust discrimination. Subject to this limitation it can not be taken for public use without just compensation, and it is essential to valid legislation that when the just compensation shall have been *judicially ascertained the owner of the property shall be able to obtain it*. The compulsory use of such property is a "taking" within the Constitution, for its main value is in its use, and the right of the owner to receive just compensation for its use.

Mr. President, this proviso, or any having the same effect, if incorporated in the law would in effect make the rate conclusive until final decree. The "taking" is a continuous one. Every freight contract is a new taking, and if the rate fixed by the Commission, and to restrain the enforcement of which the suit is brought, is imposed upon the carrier until final hearing, and the decision of the court is against its validity, it inevitably occurs that during the pendency of the suit the use of the property of the carrier, through its own servants and at its own risk will have been taken under the law at a rate which the court will have held is not just compensation.

Can Congress do that thing constitutionally? If Congress can do that, why may it not provide that the order fixing the rate shall not be suspended until the Supreme Court shall have passed upon it? I can not believe that Congress can provide for the taking, through its own Commission, with a judicial review which is necessary to the validity of the act, and at the same time prohibit the court from exercising the inherent and long-established remedy in equity of suspending the order pending the suit, if it be made to appear that otherwise justice will not be done, but irreparable loss will ensue. *Such a remedy seems to me to be a part of the constitutional guaranty.*

On reflection, I think in such case the carrier would have no cause of action against shippers for the excess between the rate paid and the just compensation when ascertained. Under the operation of such a proviso the order would be in effect and the penalties of the law would apply, but the railway carrier could, I think, only receive and carry freight according to its published tariff, and if it attempted to do otherwise it could be enjoined or compelled by mandamus to observe it.

It is not a question, as the Senator seems to think it is, as to whether the people shall lose this money or the carrier shall lose it. We are not confronting that alternative, because it is in the power of the court and in the power of the Congress to prescribe the terms upon which such relief shall be afforded. The carrier may be required to pay into court every penny of the money collected above the rate fixed by the Commission or to give a bond, approved by the court, to pay it if in the end the determination of the court is adverse to him. The Supreme Court will know that.

There is no necessity, Mr. President, for any such provision in order to protect the people. There is necessity, in my opinion, in order to *protect this bill*, if it become a law, that no such provision *shall be incorporated in it*. If private property can be taken without just compensation for three months, it can be taken for three years. It can not be lawfully taken from an individual, and it can not be lawfully taken from a carrier. But what would be the result of the adoption of such a proviso? I fear, as I said before, that the court would decline to take jurisdiction at all. I think the court would be inclined to say that it is an impaired judicial power, which they could not exercise. In that event, Mr. President, what would become of the rate-fixing clause of this bill? It would be left without provision for judicial review, as the question could not be raised in the mandamus proceeding by the terms of the measure. It would be the Minnesota Milk case over again, of want of due process. (134 U. S.)

Mr. President, begging pardon for the time I have taken, I ask the Senate if it be not true that there is trouble enough in this subject that can not be eliminated from it? There are

questions enough of the gravest possible import under the Constitution which are inseparable from it, and which can only be determined by the court when this bill becomes a law and the questions are presented. Is it wise, Mr. President, to inject into this measure one more challenge of its validity, especially when, with perfect justice, that may be omitted?

Mr. President, I am not an opponent of this measure. I want to see it speedily passed, as perfect as it may be, and with every constitutional danger avoided, so far as it can be done. I regard this as a loyal support of the measure and a real conservation of the public interest.

Mr. CLARKE of Arkansas. Mr. President, the Senator from Wisconsin [Mr. SPOONER] occupied less time than I thought would be the case, and that is the reason why I am not prepared to proceed with the debate this afternoon. I will take occasion to address the Senate next Monday, unless there is some important business before it at that time, on the general question covered by the remarks submitted by the Senator from Wisconsin.

Mr. GALLINGER. Mr. President, unless some Senator is prepared to speak on the unfinished business, I ask that it be temporarily laid aside and that we proceed to the consideration of the Calendar under Rule VIII.

Mr. McCUMBER. I will ask the Senator if he has any objection to taking up the pension bills?

Mr. GALLINGER. They will be reached in a very short time. There are few bills preceding them.

The VICE-PRESIDENT. The Senator from New Hampshire asks unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of the Calendar under Rule VIII.

Mr. ALLISON. I do not see present the Senator from South Carolina, who has in charge the regular order, but I should be glad if that bill could be continued for the remainder of the day. For one I hope we shall get away from the Capitol before the 1st of August, and I think it important that the consideration of the rate bill should be continued. It has not been considered very continuously this week.

Mr. GALLINGER. I will say to the Senator from Iowa that the request was made upon the assumption that no Senator was prepared to continue the discussion.

Mr. ALLISON. I did not even know that the Senator from New Hampshire had made a request.

Mr. GALLINGER. I had made a request that we go to the Calendar under Rule VIII, if no Senator is prepared to continue the discussion of the unfinished business. I have no disposition to interrupt that, of course. I agree with the Senator from Iowa that we ought to continue its consideration.

Mr. ALLISON. I hope that the consideration of this bill will be continued. There certainly must be opportunities desired by Senators to speak upon some phase of the bill.

Mr. TILLMAN. I gave notice day before yesterday that after this week I would be compelled to keep the bill before the Senate and either have talk or votes. Under the rules we can make Senators talk or we can vote. I have been unwilling to drag those who have been unwilling to agree to a vote, and I am still unwilling, but after the two set speeches which are now booked for Monday—the Senator from Virginia [Mr. DANIEL] has notified me he wants to speak and the Senator from Arkansas [Mr. CLARKE] was to speak to-day—I intend, as I said, to press matters with all the vigor that the rules permit. I think we will probably get along better if we do not begin to put on the screws until Tuesday.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. ALLISON. Certainly.

Mr. FORAKER. Mr. President, I agree with the Senator from Iowa. We ought to go ahead with the consideration of this bill. This thing of postponing and postponing the vote seems unnecessary. I understand there are some Senators who want to make regular speeches. But we have all these amendments which are pending here—there must be fifty or sixty of them—and we have made no agreement in regard to them. Why not take up some of these amendments and commence considering and voting on them? We can vote on them at one time as well as at another. If we can not vote upon them, we can at least consider them. I have presented two or three amendments. Other Senators have amendments. Why can not some Senator present his amendment now and let us go on with the discussion of it?

Mr. TILLMAN. I am perfectly willing to have that course followed. I have felt, however, that under the custom maintained here it would be more agreeable and certainly fairer to

all Senators to notify them when we are going to begin really to do some work here.

Mr. FORAKER. It would be better to notify them when we are going to vote.

Mr. TILLMAN. I mean to vote; to vote on amendments, for instance. There are probably twenty Senators out of the city on one mission or another; we all have to go off occasionally; and I do not think it would be fair to those Senators to say now we are going to take up an amendment and vote on it to-day. I had hoped and expected—

Mr. FORAKER. I do not suggest a vote, but I do suggest that we might go on with the consideration and discussion of some of these amendments.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield further to the Senator from South Carolina?

Mr. ALLISON. I yield further to the Senator from South Carolina.

Mr. TILLMAN. I was going to repeat what I said on a previous occasion, that in my judgment it would be more satisfactory, and that we would reach a wiser disposition of amendments, if, whenever we have discussed a given amendment, we vote on that amendment then and there. But we ought not to begin to dispose of amendments without notice; that is all.

Mr. ALLISON. I agree with what the Senator from South Carolina says in that respect. But there are amendments here of importance, and some of not very great importance. Still the amendments are numerous. We have had a hiatus here in the general debate nearly every day this week. I am not complaining of it. It was impossible for it to be otherwise. But we can not go on forever in this way. I was not present in the Senate Chamber during all of to-day's session, as Senators know, because I have work in committee—

Mr. TILLMAN. Everybody realizes how much work the Senator from Iowa has on his hands.

Mr. ALLISON. But I had hoped we could take up these amendments and debate them. I am very glad that the Senator from South Carolina has given notice that on Monday next he will ask the Senate to proceed with this bill without interruption; and I hope he will persist in that course.

Mr. TILLMAN. I give the Senator assurance that I will hold it before the Senate and compel a vote, or compel somebody to talk, if the Senator and others like him will back me in it.

Mr. ALLISON. I will cheerfully join the Senator from South Carolina.

Mr. BAILEY. Why can we not agree now that the general debate shall close, say, one week from to-day?

Mr. ALLISON. I hope we can; or even in less than a week.

Mr. BAILEY. Well; and then proceed to consider this bill under some rule that allows ten or fifteen minutes' debate on the amendments, and at the close of the discussion on each amendment, as suggested by the Senator from South Carolina, vote on that amendment.

Mr. TILLMAN. And dispose of it.

Mr. BAILEY. Lay it aside as finished, whether we adopt it or reject it. In that way the Senate would be brought to vote on each amendment immediately after it had been discussed.

I venture to say that Senators would hear the discussion on each amendment when they understood that at the close of that discussion they were going to be called upon to vote for or against the amendment. On the contrary, if the amendments are all under discussion and none of them is to be voted upon until the end, Senators, being thoroughly satisfied as to one amendment and not knowing whether that is the amendment under discussion or not, will not pay the close attention that they will if each amendment is to be disposed of at the end of the discussion on it.

Mr. ALLISON. I agree to everything the Senator from Texas [Mr. BAILEY] says as respects the amendments, but we shall never begin to vote on the amendments unless we have some understanding respecting them.

Mr. BAILEY. Yes.

Mr. ALLISON. So far as I am concerned personally, I would be glad to second the suggestion of the Senator from Texas, that we have an early time for beginning the ten-minute debate which he suggests, and an arrangement for a final vote on the bill.

Mr. GALLINGER. Say Thursday next.

Mr. ALLISON. I would suggest Thursday next.

Mr. FORAKER. I wish to offer an amendment. It is an amendment with respect to review by the court. I offer it now so that it may be printed and we may have it before us, and I shall want to submit some remarks on it, perhaps, at the proper time.

The VICE-PRESIDENT. Does the Senator from New Hampshire withdraw his request?

Mr. GALLINGER. I do for the present.—

Mr. FORAKER. I wish to say in offering this amendment that it is one entitled to more than usual consideration. We are not the only legislative body dealing with this subject.

Mr. CULLOM. Can we not have it read?

Mr. FORAKER. I will ask to have it read in a moment.

The legislature of Ohio has been enacting railway rate legislation. After very long and very careful consideration of the subject they enacted a bill from which I take this provision, making no change whatever except only in the name of the court to which the appeal shall be made. This is the result of their deliberations. They are men who, after they had been giving considerable consideration to this subject, felt that they were not only sufficiently familiar with the general subject of rate making, but also with all the constitutional and legal difficulties involved to warrant them in advising their representatives in the Senate of the United States how they should vote on this bill.

Now, it is because of the fact that this is the result of their deliberations, now enacted into law and now in force in Ohio, that I ask to have the amendment read from the desk, for the information of Senators, as an amendment to this bill providing for a court review.

Mr. BACON. Do we understand that it meets with the approval of the Senator from Ohio?

Mr. FORAKER. Yes; entirely.

Mr. BAILEY. Mr. President, it will gratify all of us to know that cordial relations have been established between the Senator from Ohio and the legislature of his State.

Mr. FORAKER. Mr. President, there has been at no time any lack of cordiality in our relations. They have at times been more than cordial—in fact, even warm.

The VICE-PRESIDENT. The Secretary will read the proposed amendment.

Mr. FORAKER. I hope Senators will see what the legislature of Ohio thinks is a proper court review.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. —. Any railroad or other party in interest being dissatisfied with any order of the Commission fixing any rate or rates, fares, charges, classifications, joint rate or rates, or any order fixing any regulations, practices, or services may, within sixty days, commence an action in the circuit court of the United States in which the carrier has its principal operating office, against the Commission as defendant to vacate and set aside any such order on the ground that the rate or rates, fares, charges, classifications, joint rate or rates fixed in such order is unlawful or unreasonable, or that any such regulation, practice, or service fixed in such order is unreasonable, in which action the adverse parties shall be served with the summons. The Commission shall file its answer, and on leave of court any interested party may file an answer to said complaint within ten days after the service thereof, whereupon said action shall be at issue and stand ready for trial upon ten days' notice by either party. All actions brought under this section shall have precedence over any civil cause of a different nature pending in such court, and the said court shall always be deemed open for the trial thereof, and the same shall be tried and determined as other civil actions. Any party to such action may introduce original evidence in addition to the transcript of the evidence offered to said committee.

a. No injunction shall issue suspending or staying any order of the Commission except upon application to the said court or a judge thereof, notice to the Commission having been given and hearing having been had thereon.

b. If, upon the trial of such action, evidence shall be introduced by the plaintiff which is found by the court to be different from that offered upon the hearing before the Commission, or additional thereto, the court before proceeding to render judgment, unless the parties to such action stipulate in writing to the contrary, shall transmit a copy of such evidence to the Commission and shall stay further proceedings in said action for fifteen days from the date of such transmission. Upon the receipt of such evidence the Commission shall consider the same, and may alter, modify, amend, or rescind its order relating to such rate or rates, fares, charges, classification, joint rate or rates, regulation, practice, or service complained of in said action, and shall report its action thereon to said court within ten days from the receipt of such evidence.

c. If the Commission shall rescind its order complained of, the action shall be dismissed; if it shall alter, modify, or amend the same, such altered, modified, or amended order shall take the place of the original order complained of, and judgment shall be rendered thereon as though made by the Commission in the first instance. If the original order shall not be rescinded or changed by the Commission, judgment shall be rendered upon such original order.

d. Either party to said action, within sixty days after service of a copy of the order or judgment of the court, may appeal or take the case up on error as in other civil actions. Where an appeal is taken the cause shall, on the return of the papers to the higher court, be immediately placed on the calendar of the then pending term, and shall be assigned and brought to a hearing in the same manner as other causes on the calendar.

e. In all actions under this section the burden of proof shall be upon the plaintiff to show by clear and satisfactory evidence that the order of the Commission complained of is unlawful or unreasonable, as the case may be.

The VICE-PRESIDENT. The proposed amendment will be printed and lie on the table.

Mr. FORAKER. When we come to the consideration of amendments I will have something to say in behalf of that amendment, which I think is a broad, fair, square, well-considered proposition, with which I will be satisfied, and with which I think every fair-minded man should be entirely satisfied.

INDIAN APPROPRIATION BILL.

Mr. CLAPP. I understand that some Senators desire to submit amendments to the Indian appropriation bill and probably to discuss them, and so that they may be advised, I now give notice that to-morrow morning at the close of the routine morning business I will call up the bill for consideration.

Mr. TILLMAN. Why does not the Senator call up the bill now?

Mr. CLAPP. Because the other course will, I think, better meet the convenience of Senators.

CONSIDERATION OF PENSION AND MILITARY RECORD BILLS.

Mr. McCUMBER. I understand from the Senator from New Hampshire [Mr. GALLINGER], that he will withdraw his request that we proceed with the Calendar under Rule VIII. That being the case, I ask unanimous consent at this time that we proceed to the consideration of unobjected pension bills on the Calendar.

Mr. SCOTT. And military bills.

Mr. McCUMBER. I will include bills to correct military records.

The VICE-PRESIDENT. Does the Senator from North Dakota ask that the unfinished business be laid aside?

Mr. McCUMBER. I understood it had been laid aside. If not—

The VICE-PRESIDENT. It has not been laid aside.

Mr. McCUMBER. Then I ask that it be temporarily laid aside.

The VICE-PRESIDENT. The Senator from North Dakota asks unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of unobjected pension bills and bills to correct military records on the Calendar. Is there objection to the request of the Senator from North Dakota? The Chair hears none. The first bill in order under the unanimous-consent agreement will be announced.

CLINTON B. WINTERSTEEN.

The bill (S. 5640) granting an increase of pension to Clinton B. Wintersteen was announced as the first bill in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Clinton B. Wintersteen, late of Company C, Sixty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HILTON SPRINGSTEED.

The bill (S. 5673) granting an increase of pension to Hilton Springsteed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hilton Springsteed, late of Company E, Ninth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CYNTHIA CORDIAL, NOW VERNON.

The bill (H. R. 11348) granting an increase of pension to Cynthia Cordial, now Vernon, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cynthia Cordial, now Vernon, former widow of William Cordial, late of Company B, Sixty-eighth Regiment Kentucky Enrolled Militia, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA C. BASSFORD.

The bill (H. R. 14227) granting an increase of pension to Anna C. Bassford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna C. Bassford, widow of Stephen A. Bassford, late colonel Ninety-fourth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT BIVANS.

The bill (H. R. 12407) granting an increase of pension to Robert Bivans was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Bivans, late of Company E, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$46 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LISANIA JUDD.

The bill (S. 3738) granting an increase of pension to Lisania Judd was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to strike out "Volunteer Infantry" and insert "Volunteers, war with Mexico;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lisania Judd, widow of Hiram Judd, late of Company E, Mormon Battalion Iowa Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL J. LANGDON.

The bill (S. 993) granting a pension to Samuel J. Langdon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel J. Langdon, late of Company G, Ninety-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel J. Langdon."

HENRY S. KNECHT.

The bill (S. 4048) granting an increase of pension to Henry S. Knecht was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry S. Knecht, late of Company I, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB SANNAR.

The bill (H. R. 12888) granting an increase of pension to Jacob Sannar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Sannar, late of Company I, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH BODKIN.

The bill (H. R. 12415) granting an increase of pension to Elizabeth Bodkin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Bodkin, widow of William A. Bodkin, late first lieutenant and captain Company A, Fifty-second Regiment Indiana Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY JACOB FOX.

The bill (H. R. 12019) granting an increase of pension to Henry Jacob Fox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Jacob Fox, late first lieutenant Company E, Eleventh Regiment Maryland Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUST DANIELSDON.

The bill (H. R. 11907) granting an increase of pension to August Danielson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of August Danielson, late of Company H, First Regiment Illinois Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM WALROD.

The bill (H. R. 13139) granting an increase of pension to William Walrod was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Walrod, late of Company G, Ninety-first Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JENNIE P. STARKINS.

The bill (H. R. 11824) granting an increase of pension to Jennie P. Starkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie P. Starkins, widow of Joseph Starkins, late of the U. S. S. *North Carolina*, *Mohawk*, and *Mary Sanford*, United States Navy, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. FLETCHER.

The bill (S. 5641) granting an increase of pension to John W. Fletcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Fletcher, late of Company F, First Regiment New Hampshire Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER subsequently said: I wish to recur to the bill (S. 5641) granting an increase of pension to John W. Fletcher. This is a soldier of whom I have personal knowledge. In addition to his other disabilities, he met with a terrible accident, necessitating the amputation of his right arm and the loss of the use of his left arm. So he requires the constant aid and attendance of another person. I move that the votes whereby the bill was ordered to a third reading, read the third time, and passed be reconsidered.

Mr. McCUMBER. I have no objection, Mr. President.

The motion to reconsider was agreed to.

Mr. GALLINGER. I now move an amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. In line 8, before the word "dollars," strike out "twenty-four" and insert "thirty."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BETSEY B. WHITMORE.

The bill (S. 5571) granting an increase of pension to Betsey B. Whitmore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Betsey B. Whitmore, widow of George L. Whitmore, late captain Company C, Nineteenth Regiment Maine Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH F. TEBBETTS.

The bill (S. 5492) granting an increase of pension to Joseph F. Tebbetts was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of Joseph F. Tebbetts, late of Company C, Sixth Regiment, and Company H, Thirty-third Regiment, Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. WARD.

The bill (S. 5359) granting an increase of pension to William H. Ward was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Ward, late of Company E, Tenth Regiment Maine Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS BROWN.

The bill (H. R. 15683) granting an increase of pension to Thomas Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Brown, late acting ensign, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE M. THOMPSON.

The bill (H. R. 15835) granting an increase of pension to George M. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George M. Thompson, late of Company I, Sixth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL E. DURGIN.

The bill (H. R. 15670) granting an increase of pension to Daniel E. Durgin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel E. Durgin, late of Company F, Coast Guards, Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THERESA CREISS.

The bill (H. R. 15431) granting a pension to Theresa Creiss was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theresa Creiss, helpless and dependent child of Christian Creiss, late of Company G, Sixth Regiment New York Volunteer Infantry, and Company B, Thirty-ninth Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT DICK.

The bill (H. R. 15484) granting an increase of pension to Robert Dick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Dick, late of Company H, Fifth Regiment New York Veteran Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN T. JACOBS.

The bill (H. R. 15396) granting an increase of pension to John T. Jacobs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John T. Jacobs, late of Company A, Twenty-seventh Regiment Connecticut Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JESSE LIENALLEN.

The bill (H. R. 14553) granting an increase of pension to Jesse Lienallen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse Lienallen, late of Company B, Phelps Regiment Missouri Volunteer Infantry, and Company E, Twelfth Regiment Kansas Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY DAVEY.

The bill (H. R. 14552) granting an increase of pension to Henry Davey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Davey, late captain Company E, Sixty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HELEN C. SANDERSON.

The bill (H. R. 14853) granting an increase of pension to Helen C. Sanderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen C. Sanderson, widow of Robert B. Sanderson, late of Company G, Second Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL MANAHAN.

The bill (H. R. 14872) granting an increase of pension to Michael Manahan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Manahan, late of band, Sixty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARVEY FOSTER.

The bill (H. R. 13928) granting an increase of pension to Harvey Foster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harvey Foster, late of Company B, Eighth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN CAVERLY.

The bill (S. 4175) granting an increase of pension to John Caverly was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to insert the letter "F;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Caverly, late of Company F, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATE S. HUTCHINGS.

The bill (S. 5603) granting a pension to Kate S. Hutchings was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "first lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate S. Hutchings, widow of Jasper Hutchings, late first lieutenant Company C, Twenty-second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$17 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD GILLESPIE.

The bill (H. R. 15397) granting an increase of pension to Edward Gillespie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Gillespie, late of Company I, Eighteenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

KATE SLOAN.

The bill (S. 5691) granting a pension to Kate Sloan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kate Sloan, invalid and dependent daughter of William H. Sloan, late of Company D, District of Columbia and Maryland Volunteers, war with Mexico, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC M. HOWARD.

The bill (S. 5631) granting an increase of pension to Isaac M. Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac M. Howard, late of Third Battery, Minnesota Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HERMANN MUEHLBERG.

The bill (S. 5539) granting an increase of pension to Hermann Muehlberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hermann Muehlberg, late captain Company D, Fifth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MATHIAS HAMMES.

The bill (S. 3485) granting an increase of pension to Mathias Hammes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mathias Hammes, late of Company F, Twenty-ninth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW H. WOLF.

The bill (S. 2043) granting an increase of pension to Andrew H. Wolf was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew H. Wolf, late of Company F, Seventy-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH DICKSON.

The bill (S. 5504) granting an increase of pension to Joseph Dickson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Dickson, late of Company F, One hundred and twenty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. McCUMBER. I hope the committee amendment will be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELI W. KNOWLES.

The bill (S. 2978) granting an increase of pension to Eli W. Knowles was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with

an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli W. Knowles, late of Company F, Eightieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS COLTON.

The bill (S. 442) granting an increase of pension to Francis Colton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Fifteenth," to insert "Second Battalion;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Colton, late of Company E, Second Battalion, Fifteenth Regiment United States Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AHIMAAS E. WOOD.

The bill (S. 3797) granting an increase of pension to A. E. Wood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ahimaaz E. Wood, late second Lieutenant Company B, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Ahimaaz E. Wood."

CHARLES FARRELL.

The bill (S. 3798) granting an increase of pension to Charles Farrell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out the name "Farrell" and insert "Farrel;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Farrel, late of Company B, Forty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles Farrel."

GEORGE CHAMBERS.

The bill (S. 2851) granting an increase of pension to George Chambers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Chambers, late of Company C, Twelfth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM O. CLARK.

The bill (S. 5536) granting an increase of pension to William O. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William O. Clark, late of Captain Sisson's company, Illinois Mounted Volunteers, Black Hawk Indian war, and pay him a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OTTO A. RISUM.

The bill (S. 5379) granting an increase of pension to Otto A. Risum was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Otto A. Risum, late first lieutenant and adjutant Fifteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALFRED M. HAMLEN.

The bill (S. 5516) granting an increase of pension to Alfred M. Hamlen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred M. Hamlen, late of Company B, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

WILLIAM F. M. RICE.

The bill (H. R. 15687) granting an increase of pension to William F. M. Rice was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to strike out "war with Mexico" and insert "Cherokee Indian war;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. M. Rice, late of Capt. James Morrow's company, Fourth Regiment Tennessee Mounted Riflemen, Cherokee Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

EDGAR B. HUGHSON.

The bill (H. R. 15840) granting an increase of pension to Edgar B. Hughson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edgar B. Hughson, late of Company D, Ninth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB FERBER.

The bill (H. R. 15548) granting an increase of pension to Jacob Ferber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Ferber, late of Company A, Third Regiment Wisconsin Volun-

teer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. GREER.

The bill (H. R. 15256) granting an increase of pension to Benjamin F. Greer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Greer, late of Company A, Seventh Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. H. FELLOWS.

The bill (H. R. 14117) granting an increase of pension to William H. H. Fellows was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. H. Fellows, late second lieutenant Company D, Seventh Regiment California Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABSALOM SHELL.

The bill (H. R. 13840) granting an increase of pension to Absalom Shell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Absalom Shell, late of Company F, Seventy-second Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY HAHN.

The bill (H. R. 13738) granting an increase of pension to Henry Hahn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Hahn, late of Company I, One hundred and eleventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH J. MANSON.

The bill (H. R. 13726) granting a pension to Sarah J. Manson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah J. Manson, widow of George W. Manson, late of Company A, Fifth Regiment Maine Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. RAINS.

The bill (H. R. 14116) granting an increase of pension to John P. Rains was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Rains, late of Company B, Fourth Regiment California Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE R. SCOTT.

The bill (H. R. 13741) granting an increase of pension to George R. Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George R. Scott, late of Company F, One hundred and eleventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH THOMPSON.

The bill (H. R. 13504) granting an increase of pension to Elizabeth Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Thompson, widow of William Thompson, late of Company F, First Regiment Kentucky Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK CLENDENIN.

The bill (H. R. 13345) granting an increase of pension to Frank Clendenin was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Frank Clendenin, late major, One hundred and forty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS S. GEORGE.

The bill (S. 1705) granting an increase of pension to Lewis S. George was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis S. George, late of Company C, Seventh Regiment Michigan Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZA DAVIDSON.

The bill (H. R. 14498) granting an increase of pension to Eliza Davidson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza Davidson, widow of Maxwell Davidson, late of Company M, Fifteenth Regiment New York Volunteer Cavalry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT TIMMONS.

The bill (H. R. 14688) granting an increase of pension to Robert Timmons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Timmons, late of Company I, First Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUGENE B. McDONALD.

The bill (H. R. 12996) granting an increase of pension to Eugene B. McDonald was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eugene B. McDonald, late of Company H, Ninth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIUS BUXBAUM.

The bill (H. R. 13961) granting an increase of pension to Julius Buxbaum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julius Buxbaum, late of Company D, Ninety-first Regiment New York Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC L. DUGGAR.

The bill (S. 5670) granting an increase of pension to Isaac L. Duggar was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac L. Duggar, late of Lieutenant Addison's company, Florida Mounted Volunteers, Seminole Indian war, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEWIS DU BOIS.

The bill (S. 4665) granting an increase of pension to Louis Du Bois was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Du Bois, late of Company D, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Lewis Du Bois."

CHARLES SKADEN, JR.

The bill (H. R. 15321) granting an increase of pension to Charles Skaden, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Skaden, jr., helpless and dependent son of Charles Skaden, late of Company C, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALEB M. TARTER.

The bill (H. R. 15621) granting an increase of pension to Caleb M. Tarter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caleb M. Tarter, late of Company H, Fourth Regiment Kentucky Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRUMAN ALDRICH.

The bill (H. R. 15487) granting an increase of pension to Truman Aldrich was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Truman Aldrich, late of Company F, One hundred and forty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCIUS D. WHALEY.

The bill (H. R. 14990) granting an increase of pension to Lucius D. Whaley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucius D. Whaley, late of Company E, One hundred and third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET A. DUVALL.

The bill (H. R. 15569) granting a pension to Harriet A. Duvall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet A. Duvall, widow of Thomas S. Duvall, late captain Company A, Kentucky Home Guards, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM BROWN.

The bill (H. R. 15701) granting an increase of pension to William Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Brown, late of Captain Saunder's company, First Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PLEASANT CALOR.

The bill (H. R. 15616) granting an increase of pension to Pleasant Calor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Pleasant Calor, late of Company D, Thirtieth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. PIERCE.

The bill (H. R. 15277) granting an increase of pension to George W. Pierce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Pierce, late of Company G, Third Regiment Kentucky Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. NEAR.

The bill (H. R. 15050) granting an increase of pension to William H. Near was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Near, late of Company I, Sixth Regiment Ohio Volunteer

Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUTHER S. HOLLY.

The bill (H. R. 13862) granting an increase of pension to Luther S. Holly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Luther S. Holly, late of Company K, Ninth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOLOMON JOHNSON.

The bill (H. R. 12526) granting an increase of pension to Solomon Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solomon Johnson, late of Company C, Thirty-ninth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. ROYER.

The bill (H. R. 14780) granting an increase of pension to John A. Royer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Royer, late contract surgeon, United States Army, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA E. MIDDLETON.

The bill (H. R. 10408) granting a pension to Anna E. Middleton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna E. Middleton, helpless and dependent daughter of James Middleton, late of Company H, Eighty-ninth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL R. LOWRY.

The bill (H. R. 13437) granting an increase of pension to Samuel R. Lowry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel R. Lowry, late of Company D, Fourth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH M. E. HINMAN.

The bill (H. R. 10251) granting an increase of pension to Sarah M. E. Hinman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "seventeen" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah M. E. Hinman, widow of Wilbur F. Hinman, late first lieutenant Company I and captain Company F, Sixty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN P. WISHART.

The bill (H. R. 11692) granting an increase of pension to John P. Wishart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Wishart, late of Company I, Ninety-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RILEY M. SMILEY.

The bill (H. R. 14993) granting an increase of pension to Riley M. Smiley was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Riley M. Smiley, late of Company A, Twenty-third Regiment Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ETHAN ALLEN.

The bill (H. R. 15061) granting an increase of pension to Ethan Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ethan Allen, late of Company A, Thirty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER COLE.

The bill (H. R. 15780) granting an increase of pension to Peter Cole was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Cole, late of Company D, Forty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. TIDSWELL.

The bill (S. 4752) granting an increase of pension to Thomas J. Tidswell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas J. Tidswell, late second lieutenant Company C, Forty-fourth Regiment Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID OGLEVIE.

The bill (S. 4525) granting an increase of pension to David Oglevie was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Oglevie, late of Company I, Eighty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMANUEL S. THOMPSON.

The bill (H. R. 10424) granting a pension to Emanuel S. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emanuel S. Thompson, late of Captain Smithson's company, Third Regiment Missouri Volunteers, war with Mexico, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW W. TRACY.

The bill (H. R. 14915) granting an increase of pension to Andrew W. Tracy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew W. Tracy, late of Company C, First Regiment Missouri Volunteer Cavalry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT E. M'KIERNAN.

The bill (H. R. 14566) granting an increase of pension to Robert E. McKiernan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert E. McKiernan, late of Company I, Second Regiment Ohio Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VALENTINE GUNSELMAN.

The bill (H. R. 15380) granting an increase of pension to Valentine Gungelman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Valentine Gungelman, late of Company B, Fifty-first Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE H. WOODARD.

The bill (S. 5054) granting an increase of pension to George H. Woodward was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Woodward, late of Company H, Eighty-third Regiment Pennsylvania Volunteer Infantry, and Troop A, Second Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to George H. Woodward."

JOSEPH M. ALLISON.

The bill (S. 3219) granting an increase of pension to Joseph M. Allison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph M. Allison, late of Company E, Seventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA A. SMITH.

The bill (H. R. 11654) granting a pension to Emma A. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma A. Smith, helpless and dependent daughter of Samuel F. Smith, late of Company H, One hundred and fiftieth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM I. LUSCH.

The bill (H. R. 8687) granting a pension to William I. Lusch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William I. Lusch, late of Company B, Eighth Regiment Pennsylvania Volunteer Infantry, war with Spain, and to pay him a pension of \$36 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. SCOTT.

The bill (H. R. 10591) granting an increase of pension to Sarah A. Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah A. Scott, widow of Hosea P. Scott, late of Company A, One hundred and forty-second Regiment New York Volunteer Infantry, and to pay her a pension of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mabel E. Scott, helpless and dependent child of said Hosea P. Scott, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sarah A. Scott the name of said Mabel E. Scott shall be placed on the pension roll at \$12 per month from and after the date of death of said Sarah A. Scott.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD REYNOLDS.

The bill (H. R. 12534) granting an increase of pension to Richard Reynolds was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard Reynolds, late of Company A, Loyal East Virginia Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARCATIE E. THOMPSON.

The bill (H. R. 14989) granting an increase of pension to Arcatie E. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of

Arcatie E. Thompson, widow of George K. Thompson, late of the U. S. S. *North Carolina*, *Connecticut*, and *Ohio*, United States Navy, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. FOWLER.

The bill (H. R. 15240) granting an increase of pension to James W. Fowler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Fowler, late first lieutenant Company F, Thirty-fourth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOB RICE.

The bill (S. 4239) granting an increase of pension to Job Rice was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Job Rice, late of Company A, Second Regiment North Carolina Volunteer Mounted Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM I. BREWER.

The bill (S. 5659) granting an increase of pension to William I. Brewer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William I. Brewer, late of Company D, First Regiment Indiana Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN F. TATHEM.

The bill (H. R. 8475) granting a pension to John F. Tatham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John F. Tatham, late of Company C, First Regiment South Carolina Volunteer Infantry, and Companies K and M, Twenty-ninth Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILDRED W. MITCHELL.

The bill (H. R. 12059) granting an increase of pension to Mildred W. Mitchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mildred W. Mitchell, widow of James T. Mitchell, late of Company F, First Regiment North Carolina Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY FRUIT.

The bill (S. 5658) granting an increase of pension to Nancy Fruit was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy Fruit, widow of John Fruit, late of Company G, Third Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JEREMIAH LUNSFORD.

The bill (H. R. 11635) granting an increase of pension to Jeremiah Lunsford was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jere-

miah Lunsford, late of Company C, Second Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ERNEST H. WARDWELL.

The bill (S. 5343) granting an increase of pension to Ernest H. Wardwell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to insert "first lieutenant and;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ernest H. Wardwell, late first lieutenant and quartermaster Second Regiment North Carolina Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

A. M'CORMICK.

The bill (H. R. 12099) granting a pension to A. McCormick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charlotte A. McCormick, widow of Charles C. McCormick, late colonel Seventh Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHANIEL W. PLYMATE.

The bill (H. R. 12755) granting an increase of pension to Nathaniel W. Plymate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathaniel W. Plymate, late of Company K, Forty-sixth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. DRAKE.

The bill (H. R. 14698) granting an increase of pension to William F. Drake was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Drake, late of Company K, Fifty-ninth Regiment Ohio Volunteer Infantry, and Company B, Fifth Regiment Veteran Reserve Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTHER M. LOWE.

The bill (H. R. 14442) granting an increase of pension to Esther M. Lowe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Esther M. Lowe, widow of Frank E. Lowe, late of Company H, Thirty-second Regiment, and first lieutenant Company A and adjutant One hundred and twenty-first Regiment New York Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY HARES.

The bill (H. R. 15007) granting an increase of pension to Henry Hares was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Hares, late of Companies I and B, Seventy-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JONATHAN K. PORTER.

The bill (H. R. 13171) granting an increase of pension to Jonathan K. Porter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jonathan K. Porter, late of Company H, Twelfth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI B. NOULTON.

The bill (H. R. 11143) granting an increase of pension to Levi B. Noulton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi B. Noulton, late of Company K, Fifth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA BARNES.

The bill (H. R. 13217) granting a pension to Joshua Barnes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua Barnes, late of Engineer Corps Company, Seventy-first Regiment New York State Militia Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM VAN KEUREN.

The bill (H. R. 13823) granting an increase of pension to William Van Keuren was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Van Keuren, late of Company M, First Regiment New York Volunteer Mounted Rifles, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHOEBE KEITH.

The bill (H. R. 7844) granting a pension to Phoebe Keith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Phoebe Keith, widow of Albert Keith, late of Company F, Sixty-fourth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA BYRON.

The bill (H. R. 9287) granting a pension to Eliza Byron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza Byron, widow of John Byron, late of Company F, First Regiment United States Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHERINE E. BRAGG.

The bill (H. R. 9288) granting an increase of pension to Catherine E. Bragg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catherine E. Bragg, widow of Frederick A. Bragg, late captain Company A, Sixth Regiment Missouri Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE B. KIRK.

The bill (H. R. 12715) granting a pension to George B. Kirk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Kirk, late of Company L, First Regiment United States Volunteer Engineers, war with Spain, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUKE WALDRON.

The bill (H. R. 517) granting an increase of pension to Luke Waldron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Luke Waldron, late of Seventeenth Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBA B. BEAN.

The bill (H. R. 7232) granting a pension to Alba B. Bean was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alba B. Bean, late of Company C, Twentieth Regiment United States Infantry, and Hospital Corps, United States Army, and to pay him a pension of \$36 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE W. POWERS.

The bill (H. R. 6949) granting a pension to Alice W. Powers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice W. Powers, helpless and dependent daughter of Neville J. Powers, late of Company G, Tenth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELI DUVALL.

The bill (H. R. 11538) granting an increase of pension to Eli Duvall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eli Duvall, late of Company K, Twenty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving, said pension to be paid to his legally constituted guardian.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDMUND W. BIXBY.

The bill (H. R. 11606) granting an increase of pension to Edmund W. Bixby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edmund W. Bixby, late of Company F, Twenty-eighth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAURA M'NULTA.

The bill (H. R. 11703) granting a pension to Laura McNulta was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Laura McNulta, widow of John McNulta, late colonel Ninety-fourth Regiment Illinois Volunteer Infantry, and to pay her a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK FRIEBELE.

The bill (H. R. 12663) granting an increase of pension to Frederick Friebele was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Friebele, late of Company G, One hundred and second Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH W. COPPAGE.

The bill (H. R. 12556) granting an increase of pension to Joseph W. Coppage was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph W. Coppage, late of Company D, First Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS T. BLANCHARD.

The bill (H. R. 13445) granting an increase of pension to Thomas T. Blanchard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas T. Blanchard, late of Company G, Thirty-first Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES B. SIMKINS.

The bill (H. R. 12017) granting an increase of pension to James B. Simkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James B. Simkins, late of Company H, One hundred and second Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAIAH B. McDONALD.

The bill (H. R. 12389) granting an increase of pension to Isaiah B. McDonald was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaiah B. McDonald, late captain and commissary of subsistence, United States Volunteers, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM DELANY.

The bill (H. R. 13871) granting an increase of pension to William Delany was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Delany, late of Company E, Twenty-fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. RAYNOR.

The bill (H. R. 12390) granting an increase of pension to John W. Raynor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Raynor, late of Company K, Tenth Regiment New York Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JASPER N. HARRELSON.

The bill (H. R. 14534) granting an increase of pension to Jasper N. Harrelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jasper N. Harrelson, late of Company E, Eighty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID W. WEST.

The bill (H. R. 14657) granting an increase of pension to David W. West was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David W. West, late of Company B, Thirty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REUBEN R. BALLENGER.

The bill (H. R. 14677) granting a pension to Reuben R. Ballenger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Reuben R. Ballenger, late of Company G, Fourth Regiment Illinois Volunteer Infantry, war with Spain, and to pay him a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN R. NELSON.

The bill (H. R. 15415) granting an increase of pension to Ann R. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ann R. Nelson, widow of Henry Nelson, late of Troops I and C, United States Mounted Rifles, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORNELIUS WESTMAN.

The bill (H. R. 15119) granting an increase of pension to Cornelius Westman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cornelius Westman, late commissary-sergeant Fourteenth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRUMAN C. STEVENS.

The bill (H. R. 15216) granting an increase of pension to Truman C. Stevens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Truman C. Stevens, late of Company B, Eleventh Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHAN S. RUDDOCK.

The bill (H. R. 14001) granting an increase of pension to Nathan S. Ruddock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathan S. Ruddock, late of Company B, Seventy-sixth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EBENEZER A. RICE.

The bill (H. R. 15717) granting an increase of pension to Ebenezer A. Rice was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ebenezer A. Rice, late captain Company F, Fifth Regiment Minnesota Volunteer Infantry, and major, Second Regiment Minnesota Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL PEPPER.

The bill (H. R. 15794) granting an increase of pension to Samuel Pepper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Pepper, late of Company G, Ninety-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THEODORE H. BISHOP.

The bill (H. R. 1565) for the relief of Theodore H. Bishop was considered as in Committee of the Whole. It authorizes the Secretary of the Navy to remove the charge of disobedience to orders and absence without leave now standing against the record of Theodore H. Bishop, late of the United States Navy, and to issue to him an honorable discharge.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANTON ERNST.

The bill (S. 2139) to remove the charge of desertion from the military record of Anton Ernst was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 8, after the word "bounty," to insert "pension;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Anton Ernst, late of Company K, Second Maryland Infantry, and to grant him an honorable discharge to date as of October 15, 1862: *Provided,* That no pay, bounty, pension, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LORA E. REED.

The bill (S. 3862) to correct the military record of Lora E. Reed was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 5, after the word "of," to strike out "Twelfth Battery" and insert "Battery I, First;" in line 6, after the word "discharge," to strike out "from the service of the United States," and at the end of the bill to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Lora E. Reed, late a member of Battery I, First Ohio Artillery, and to issue to him an honorable discharge: *Provided,* That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMANDA LUCAS.

The bill (S. 394) granting an increase of pension to Amanda Lucas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda Lucas, widow of John Lucas, late of Company E, Sixteenth Regiment United States Infantry, war with Mexico, and lieutenant-colonel Seventh Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LORINDA J. WHITE.

The bill (S. 4796) granting an increase of pension to Lorinda J. White was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorinda J. White, widow of Daniel W. White, late of Ninth Battery, Indiana Volunteer Light Artillery, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA WORRALL.

The bill (S. 522) granting a pension to Emma Worrall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 10, before the word "dollars," to strike out "twenty-five" and insert "twenty;" and in the same line, after the word "month," to insert "in lieu of that she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma Worrall, widow of Washington M. Worrall, late captain Company D, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and major, Two hundred and fourteenth Regiment Pennsylvania Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Emma Worrall."

AARON F. PATTEN.

The bill (S. 3033) granting an increase of pension to Aaron F. Patten was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aaron F. Patten, late of Company K, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. TOMLINSON.

The bill (S. 4401) granting an increase of pension to George W. Tomlinson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Tomlinson, late of Company D, Thirteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD L. DELONG.

The bill (S. 5671) granting an increase of pension to Richard L. Delong was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard L. Delong, late of Company B, Fifth Regiment Vermont Volunteer In-

fantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY T. SISSON.

The bill (S. 5579) granting an increase of pension to Henry T. Sisson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-five" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry T. Sisson, late colonel Fifth Regiment Rhode Island Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. WETMORE. I offer an amendment to the bill. In line 8, before the word "dollars," I move to strike out "thirty" and insert "forty."

Mr. McCUMBER. I simply desire to say that this is a case in which the Senator from Rhode Island makes a statement to me from his own personal acquaintance with the claimant and a knowledge of his condition, and his statement shows that the condition of the beneficiary is rather worse than the report indicates. Upon that statement I think we are justified in making no objection to the increase proposed by the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RUTH P. PIERCE.

The bill (S. 5704) granting an increase of pension to Ruth P. Pierce was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ruth P. Pierce, widow of William H. Pierce, late of Company G, Second Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARLAN P. COBB.

The bill (S. 4177) granting an increase of pension to Harlan P. Cobb was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harlan P. Cobb, late of Company B, Battalion United States Engineers, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY C. WILSEY.

The bill (S. 3040) granting a pension to Mary C. Wilsey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Wilsey, widow of Andrew J. Wilsey, late of Company K, Twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT BUTLER.

The bill (S. 678) granting an increase of pension to Albert Butler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Butler, late of Company B, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTIN CLARK.

The bill (S. 2467) granting an increase of pension to Martin Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martin Clark, late of Company E, Sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN MARAH.

The bill (S. 5163) granting an increase of pension to John Marah was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Marah, late of Company A, First Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM L. SHEAFF.

The bill (S. 3483) granting an increase of pension to William L. Sheaff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William L. Sheaff, late of Company I, One hundred and twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS M'CORMICK.

The bill (S. 4358) granting an increase of pension to Thomas McCormick was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas McCormick, late of Company F, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL QUILL.

The bill (S. 4005) granting an increase of pension to Michael Quill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Quill, late of Company A, Sixty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID N. WINSELL.

The bill (S. 5082) granting an increase of pension to David N. Winsell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David N. Winsell, late of Company E, Eighteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN W. DALEY.

The bill (S. 4361) granting an increase of pension to John W. Daley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-six;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Daley, late of Company G, One hundred and forty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS J. PICKETT.

The bill (S. 5523) granting an increase of pension to Thomas J. Pickett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas J. Pickett, late of Company C, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. H. ROBINSON.

The bill (S. 5349) granting an increase of pension to William H. H. Robinson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. H. Robinson, late of Captain Mower's company, First Regiment Illinois Volunteers, war with Mexico, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANN J. THOMPSON.

The bill (S. 4460) granting an increase of pension to Ann J. Thompson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to strike out "Infantry" and insert "Cavalry;" and in the same line, before the word "dollars," to strike out "thirty-five" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann J. Thompson, widow of Robert M. Thompson, late major, Sixth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB WIGAL.

The bill (S. 5247) granting an increase of pension to Jacob Wigal was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out the name "Wigal" and insert "Wigal;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Wigal, late of Company B, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jacob Wigal."

LOUIS A. TYSON.

The bill (S. 4457) granting an increase of pension to L. A. Tyson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis A. Tyson, late of Battery E, Fourth Regiment United States Artillery, and Twenty-eighth Independent Battery, New York Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Louis A. Tyson."

SPENCER C. STILWELL.

The bill (S. 3299) granting an increase of pension to Spencer C. Stilwell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "late," to strike out the name "Stilwell" and insert "Stilwell;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Spencer C. Stilwell, late of Company A, Fifth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Spencer C. Stilwell."

ADALINE M. THORNTON.

The bill (S. 4692) granting a pension to Adaline M. Thornton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with

an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adaline M. Thornton, widow of James L. Thornton, late first lieutenant and quartermaster, Sixty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$15 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Adaline M. Thornton."

LORENZO E. JOHNSON.

The bill (S. 5780) granting a pension to Lorenzo E. Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo E. Johnson, late acting assistant surgeon, United States Army, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HULL.

The bill (S. 5562) granting an increase of pension to John Hull was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hull, late of Company D, One hundred and twentieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID B. OTT.

The bill (H. R. 3456) granting an increase of pension to David B. Ott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David B. Ott, late of Company I, Thirty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARETTE E. BROWN.

The bill (S. 3271) granting an increase of pension to Margaret E. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margarette E. Brown, widow of John W. Brown, late of Company A, Second Regiment Delaware Volunteer Infantry, and Company D, Twentieth Regiment Veteran Reserve Corps, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Margarette E. Brown."

THOMAS J. BOWSER.

The bill (S. 5680) granting an increase of pension to Thomas J. Bowser was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas J. Bowser, late of Company B, Fourth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMOS DYKE.

The bill (H. R. 13881) granting an increase of pension to Amos Dyke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amos Dyke, late of Company K, Seventh Regiment Ohio Volunteer Cavalry,

and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNAH M'CARTY.

The bill (S. 5754) granting a pension to Hannah McCarty was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah McCarty, widow of Lemington McCarty, late of Company F, Second Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SIMON A. SNYDER.

The bill (S. 5532) granting an increase of pension to Simon A. Snyder was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Simon A. Snyder, late of Company K, Eighty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW D. DANLEY.

The bill (S. 5735) granting an increase of pension to Andrew D. Danley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew D. Danley, late of Company D, Twenty-third Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN S. THEALL.

The bill (H. R. 1953) granting an increase of pension to Susan S. Theall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan S. Theall, widow of Hiram W. Theall, late first lieutenant Company D, Stevenson's regiment New York Infantry Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET L. MORRISON.

The bill (H. R. 16972) granting a pension to Harriet L. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet L. Morrison, widow of James A. Morrison, late of U. S. S. *Valley City*, United States Navy, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES F. AMIS.

The bill (S. 4488) granting an increase of pension to J. F. Amis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James F. Amis, late of Company E, Sixteenth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James F. Amis."

MARY CLARK.

The bill (S. 5736) granting an increase of pension to Mary Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an

amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Clark, widow of George Clark, late of Company A, Fourth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIOT LOSURE.

The bill (S. 557) granting an increase of pension to Mariot Losure was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Regiment," to insert "and Company D, One hundred and eighty-ninth Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mariot Losure, late of Company K, Thirty-eighth Regiment, and Company D, One hundred and eighty-ninth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BALTZAR MOWAN.

The bill (S. 869) granting an increase of pension to Baltzar Mowan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the words "late of," to insert "U. S. S. Benton;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Baltzar Mowan, late of U. S. S. Benton, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE P. SEALEY.

The bill (S. 5668) granting an increase of pension to George P. Sealey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Cavalry" and insert "Infantry;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George P. Sealey, late of Company B, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM R. GARNER.

The bill (S. 5378) removing the charge of desertion from the name of William R. Garner was considered as in Committee of the Whole. It authorizes the Secretary of War to remove the charge of desertion now borne on the records of the War Department against William R. Garner, who served as a private in Company G, Fifty-seventh Regiment Indiana Volunteer Infantry, provided that no pay, bounty, or other allowances shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PATRICK F. McDERMOTT.

The bill (S. 3164) to correct the military record of Patrick F. McDermott was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 5, after the word "Regiment," to strike out "New York" and insert "New Jersey;" and, at the end of the bill, to insert the following proviso:

Provided, That no pay, pension, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War, be, and he is hereby, authorized to review the military record of Patrick F. McDermott, late of Company D, Thirty-fourth Regiment New Jersey Volunteer Infantry, and grant him an honorable discharge: *Provided*, That no pay, pension, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA C. BINGHAM.

The bill (S. 5702) granting an increase of pension to Anna C. Bingham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna C. Bingham, widow of Lafayette Bingham, late lieutenant-colonel Ninety-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES E. SISCHO.

The bill (S. 5522) granting an increase of pension to Charles E. Sischo was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Sischo, late of U. S. S. Marmora, United States Navy, and Company D, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. MURCH.

The bill (S. 1508) granting an increase of pension to James A. Murch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "and," to strike out "First Company, Second Battalion Veteran Reserve Corps, later known as the;" and in line 11, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Murch, late of Company H, Sixteenth Regiment Kentucky Volunteer Infantry, and One hundred and seventy-fourth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. GILSON.

The bill (S. 4718) granting an increase of pension to George W. Gilson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the words "late of," to strike out "Third" and insert "Captain Riddle's;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Gilson, late of Captain Riddle's independent company, Ohio Volunteer Infantry, war with Mexico, and captain Company B, Fortieth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

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HARRIETT A. RAWLES.

The bill (S. 1513) granting an increase of pension to Harriett A. Rawles was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriett A. Rawles, widow of Charles H. Rawles, late of U. S. S. General Grant, United States Navy, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Harriett A. Rawles."

AUGUSTUS A. NEVINS.

The bill (S. 4569) granting an increase of pension to Augustus A. Nevins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus A. Nevins, late of Company C, One hundred and fourteenth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAURA B. IHRIE.

The bill (H. R. 8226) granting an increase of pension to Laura B. Ihrie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 11, before the word "dollars," to strike out "sixteen" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Laura B. Ihrie, widow of George P. Ihrie, late captain's clerk, United States ship Ohio, United States Navy, war with Mexico, lieutenant-colonel Third Regiment California Volunteer Infantry, colonel and additional aide-de-camp, United States Volunteers, and major and paymaster, United States Army, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS W. BARNUM.

The bill (H. R. 16504) granting an increase of pension to Thomas W. Barnum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas W. Barnum, late of Company A, First Regiment Louisiana Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PATRICK MAHONEY.

The bill (H. R. 2778) granting an increase of pension to Patrick Mahoney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Patrick Mahoney, late of Company C, Third Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN T. ODIORNE.

The bill (H. R. 2796) granting a pension to Benjamin T. Odiorne was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin T. Odiorne, late ordinary seaman, United States Navy, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN ELDRIDGE, JR.

The bill (H. R. 15011) granting an increase of pension to John Eldridge, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Eldridge, jr., late of Company C, Battalion United States Engineers, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN S. CUSHMAN.

The bill (H. R. 10775) granting a pension to Ellen S. Cushman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen S. Cushman, helpless and dependent sister of Benjamin S. Cushman, late of Company B, Tenth Regiment Maine Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARA N. SCRANTON.

The bill (H. R. 9441) granting a pension to Clara N. Scranton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clara N. Scranton, widow of William N. Scranton, late of Company B, Fifth Regiment Connecticut Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. FOSTER.

The bill (H. R. 4242) granting an increase of pension to Mary A. Foster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Foster, widow of Henry D. Foster, late acting ensign, U. S. S. *Calhoun*, United States Navy, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WALTER F. BEAN.

The bill (H. R. 15956) granting an increase of pension to Walter F. Bean was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Walter F. Bean, late of Company D, Second Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. COFFIN.

The bill (H. R. 16296) granting an increase of pension to Henry C. Coffin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Coffin, late of Company C, Thirteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIUS S. COOLEY.

The bill (H. R. 16433) granting an increase of pension to Marius S. Cooley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marius S. Cooley, late of Company G, Second Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EBENEZER RICKETT.

The bill (H. R. 531) granting an increase of pension to Ebenezer Rickett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ebenezer Rickett, late of Company D, Sixth Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW H. NICHOLS.

The bill (H. R. 1910) granting an increase of pension to Andrew H. Nichols was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew H. Nichols, late of Company C, Second Regiment Connecticut Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUGENIE TILBURN.

The bill (H. R. 2102) granting an increase of pension to Eugenie Tilburn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eugenie Tilburn, widow of Edward Tilburn, late of Company D, Ninetieth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH E. GREEN.

The bill (H. R. 4669) granting a pension to Joseph E. Green was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph E. Green, late second-class apprentice, U. S. S. *James K. Polk*, United States Navy, war with Mexico, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. LYONS.

The bill (H. R. 3689) granting an increase of pension to Charles W. Lyons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Lyons, late of Company E, First Regiment Maine Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD E. DAVIS.

The bill (H. R. 2794) granting an increase of pension to Richard E. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard E. Davis, late of Company H, Fourth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES E. MALOON.

The bill (H. R. 4264) granting a pension to Frances E. Maloon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances E. Maloon, widow of Solon H. Maloon, late carpenter, United States ship *Vandalia*, United States Navy, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER M. CULINS.

The bill (H. R. 3430) granting an increase of pension to Peter M. Culins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter M. Culins, late second lieutenant Company H, Ninety-first Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER M. LOWRY.

The bill (H. R. 2801) granting an increase of pension to Alexander M. Lowry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander M. Lowry, late first lieutenant Company H, One hundred and twelfth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROSE V. MULLIN.

The bill (H. R. 14299) granting an increase of pension to Rose V. Mullin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rose V. Mullin, late nurse, medical department, United States Volunteers, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIDNEY A. LAWRENCE.

The bill (H. R. 17589) granting an increase of pension to Sidney A. Lawrence was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sidney A. Lawrence, late of U. S. S. *North Carolina* and *Fahkee*, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DORA C. WALTER.

The bill (H. R. 9442) granting a pension to Dora C. Walter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dora C. Walter, widow of George F. Walter, late of Companies C and D, Fifty-fifth Regiment, Company K, Thirty-eighth Regiment, and Company H, Fortieth Regiment, New York Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PAUL STANG.

The bill (H. R. 3979) granting an increase of pension to Paul Stang was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Paul Stang, late of Company L, Fifth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD DUFFY.

The bill (H. R. 1567) granting an increase of pension to Edward Duffy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Duffy, late of Company H, Sixty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

QUINCY CORWIN.

The bill (H. R. 5853) granting an increase of pension to Quincy Corwin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Quincy Corwin, late of Company B, Twentieth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. KEYSER.

The bill (H. R. 15024) granting an increase of pension to Henry C. Keyser was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Keyser, late acting third assistant engineer, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES DAYTON.

The bill (H. R. 2852) granting an increase of pension to James Dayton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Dayton, late of Company F, Tenth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES T. CASKEY.

The bill (H. R. 16190) granting an increase of pension to James T. Caskey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James T. Caskey, late of Company E, Fortieth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABRAHAM G. LONG.

The bill (H. R. 16210) granting an increase of pension to Abraham G. Long was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham G. Long, late of Company F, Fifth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY DAGENFIELD.

The bill (H. R. 16215) granting an increase of pension to Mary Dagenfield was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twelve" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Dagenfield, widow of Adolph Dagenfield, late sergeant, Company C, Second Regiment United States Artillery, war with Mexico, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

AUGUSTUS J. MOREY.

The bill (H. R. 16250) granting an increase of pension to Augustus J. Morey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus J. Morey, late recruit Third Regiment United States Dragoons, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ENOS DAY.

The bill (H. R. 16334) granting an increase of pension to Enos Day was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Enos Day, late of Twentieth Battery, Indiana Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN HICKS.

The bill (H. R. 16428) granting an increase of pension to Edwin Hicks was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin Hicks, late of Company K, Third Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD FARRELL.

The bill (H. R. 16520) granting a pension to Edward Farrell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Farrell, late of Company C, Sixth Regiment United States Infantry, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH S. RICE.

The bill (H. R. 1138) granting an increase of pension to Joseph S. Rice was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph S. Rice, late of Company C, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE H. GASKILL.

The bill (H. R. 667) granting an increase of pension to George H. Gaskill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Gaskill, late of Company A, Seventy-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS H. PADGETT.

The bill (H. R. 2173) granting an increase of pension to Thomas H. Padgett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas H. Padgett, late of Company A, Thirty-second Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN T. SIVELS.

The bill (H. R. 16582) granting a pension to Ellen T. Sivels was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen T. Sivels, widow of Thomas Sivels, late of Company C, Ninety-ninth Regiment New York Militia Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT B. WILLIBY.

The bill (H. R. 16650) granting an increase of pension to Robert B. Williby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert B. Williby, late of Companies K and A, Thirty-fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. MOSIER.

The bill (H. R. 17274) granting an increase of pension to Andrew J. Mosier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Mosier, late of United States ships *Massachusetts* and *Zeta*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY B. WATSON.

The bill (H. R. 17273) granting a pension to Mary B. Watson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary B. Watson, widow of Nimrod W. Watson, late of Captain John W. Dickey's independent company, Alabama Scouts and Guides, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SILAS MOSHER.

The bill (H. R. 1375) granting an increase of pension to Silas Mosher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas Mosher, late of Company A, One hundred and seventy-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINER L. BRADEN.

The bill (H. R. 5822) granting an increase of pension to Miner L. Braden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Miner L. Braden, late of Company F, Palmetto Regiment South Carolina Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALMA L. WELLS.

The bill (H. R. 15894) granting an increase of pension to Alma L. Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alma L. Wells, widow of Henry M. Wells, late surgeon, United States Navy, and to pay her a pension of \$40 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HERBERT D. INGERSOLL.

The bill (H. R. 15928) granting an increase of pension to Herbert D. Ingersoll was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Herbert D. Ingersoll, late of Company D, Fifty-ninth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL F. WILLIAMS.

The bill (H. R. 16182) granting an increase of pension to Samuel F. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel F. Williams, late sergeant-major, First Regiment North Carolina Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. MAXWELL.

The bill (H. R. 1893) granting an increase of pension to Henry C. Maxwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Maxwell, late of Company D, Sixth Regiment Tennessee Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JERRY EDWARDS.

The bill (H. R. 10881) granting an increase of pension to Jerry Edwards was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jerry Edwards, late of Company F, First Regiment United States Colored Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SILAS FLOURNOY.

The bill (H. R. 1018) granting an increase of pension to Silas Flournoy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas Flournoy, late of Company I, Second Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM T. BRANAM.

The bill (H. R. 5274) granting an increase of pension to William T. Branam was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Branam, late of Company I, Fifth Regiment Tennessee Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA HOWARD.

The bill (H. R. 17235) granting an increase of pension to Martha Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha Howard, widow of Lewis S. C. Howard, late of Company F, First Regiment Tennessee Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving, and \$2 per month additional on account of each of the two minor children of the soldier until they shall arrive at the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM T. MORGAN.

The bill (H. R. 17151) granting a pension to William T. Morgan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Morgan, late of Company F, Fifth Regiment United States Volunteer Infantry, war with Spain.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL E. CARLTON.

The bill (H. R. 16454) granting an increase of pension to Samuel E. Carlton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel E. Carlton, late of Company B, Forty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JENNIE WHITE.

The bill (H. R. 17194) granting an increase of pension to Jennie White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie White, widow of Robert O. White, late of Company E, Third Regiment Illinois Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN LONG.

The bill (H. R. 16455) granting an increase of pension to John Long was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Long, late of Company H, Thirty-first Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN B. CAHOON.

The bill (H. R. 14374) granting an increase of pension to Benjamin B. Cahoon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin B. Cahoon, late of Company D, First Regiment Delaware Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH MUNCHER.

The bill (H. R. 16376) granting an increase of pension to Joseph Muncher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Muncher, late of Company A, One hundred and thirty-second Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. POWELL.

The bill (H. R. 16442) granting an increase of pension to John A. Powell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Powell, late of Company I, Fourth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES P. HOPKINS.

The bill (H. R. 16523) granting an increase of pension to Charles P. Hopkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles P. Hopkins, late of Company M, Seventh Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. LEE.

The bill (H. R. 1734) granting an increase of pension to William H. Lee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Lee, late of Company D, Eighth Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES JACOBS.

The bill (H. R. 1858) granting an increase of pension to James Jacobs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Jacobs, late of Company K, Fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT KENNISH.

The bill (H. R. 1340) granting a pension to Robert Kennish was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Kennish, late mate United States ship *Restless*, United States Navy, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL BOUGHMAN.

The bill (H. R. 3738) granting an increase of pension to Daniel Boughman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Boughman, late of Company C, Eleventh Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIDNEY S. BREWERTON.

The bill (H. R. 17608) granting an increase of pension to Sidney S. Brewerton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sidney S. Brewerton, late of Company F, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM LOUTHER.

The bill (H. R. 15863) granting an increase of pension to William Luther was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Luther, late of Company A, Sixth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN C. MATHENY.

The bill (H. R. 4763) granting an increase of pension to John C. Matheny was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John C. Matheny, late of Company H, Fourth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH SHROYER.

The bill (H. R. 13730) granting an increase of pension to Joseph Shroyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Shroyer, late of Company F, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRIETTA W. WILSON.

The bill (H. R. 15982) granting an increase of pension to Henrietta W. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henrietta W. Wilson, widow of Thomas Wilson, late major and commissary of subsistence, and colonel and assistant commissary-general of subsistence, United States Army, and to pay her a pension of \$35 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BIDDLE.

The bill (H. R. 3419) granting an increase of pension to John Biddle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Biddle, late of Company I, Ninety-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA C. WALDRON.

The bill (H. R. 12803) granting a pension to Emma C. Waldron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma C. Waldron, widow of William N. Waldron, late of Company E, Sixth Regiment Pennsylvania Reserve Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORESTES B. WRIGHT.

The bill (H. R. 3347) granting an increase of pension to Orestes B. Wright was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orestes B. Wright, late of Company K, One hundred and thirty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$25 per month in lieu that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES F. HOWARD.

The bill (H. R. 8711) granting an increase of pension to James F. Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James F. Howard, late of Company A, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE R. E. NESBITT.

The bill (H. R. 4294) granting an increase of pension to Annie R. E. Nesbitt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie R. E. Nesbitt, widow of Thomas S. Nesbitt, late first lieutenant and regimental quartermaster Seventh Regiment Maryland Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY H. SIBLEY.

The bill (H. R. 16445) granting an increase of pension to Henry H. Sibley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry H. Sibley, late captain Company B, Sixteenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIJAH PANTALL.

The bill (H. R. 5178) granting an increase of pension to Elijah Pantall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah Pantall,

late of Company F, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and Company H, Twenty-fourth Regiment Veteran Reserve Corps, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. MILES.

The bill (H. R. 4230) granting an increase of pension to William H. Miles was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Miles, late of Company I, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRY D. M'FARLAND.

The bill (H. R. 15895) granting a pension to Harry D. McFarland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harry D. McFarland, helpless and dependent child of James McFarland, late of Company F, Second Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KATIE B. MEISTER.

The bill (H. R. 16024) granting an increase of pension to Katie B. Meister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Katie B. Meister, widow of Albert Meister, late of Third Independent Battery, New York Volunteer Light Artillery, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET A. RUCKER.

The bill (H. R. 16266) granting an increase of pension to Margaret A. Rucker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret A. Rucker, widow of William P. Rucker, late major, Thirtieth Regiment West Virginia Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. BARTON.

The bill (H. R. 16514) granting an increase of pension to John W. Barton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Barton, late of Company K, Fifth Regiment United States Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD LILLEY.

The bill (H. R. 16578) granting an increase of pension to Edward Lilley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Lilley, late of Company C, One hundred and sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. BRINKER.

The bill (H. R. 11565) granting a pension to Sarah A. Brinker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah A. Brinker, widow of Henry R. Brinker, late of Dick's independent company Pennsylvania Militia Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PALMETTO DODSON.

The bill (H. R. 7968) granting an increase of pension to Palmetto Dodson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Palmetto Dodson, widow of Charles M. Dodson, late of Company A, Fifty-second Regiment, and Company B, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving and \$2 per month additional on account of a minor child of said soldier until said child shall arrive at the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. WINTERS.

The bill (H. R. 7737) granting a pension to William H. Winters was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Winters, late of the United States Marine Corps and Company F, Third Regiment United States Artillery, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABRAHAM M. BARR.

The bill (H. R. 8780) granting an increase of pension to Abraham M. Barr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham M. Barr, late assistant surgeon, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE HENDERSON.

The bill (H. R. 8778) granting an increase of pension to George Henderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Henderson, late of Company K, Sixth Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN C. PARKINSON.

The bill (H. R. 11306) granting an increase of pension to John C. Parkinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John C. Parkinson, late second assistant engineer U. S. S. Louisville, United States Navy, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AQUILLA M. HIZAR.

The bill (H. R. 10727) granting an increase of pension to Aquilla M. Hizar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aquilla M. Hizar, late captain Company I, First Regiment Delaware Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. ADAMS.

The bill (H. R. 10686) granting an increase of pension to George W. Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Adams, late of Company G, Thirty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES DORIN.

The bill (H. R. 10358) granting an increase of pension to Charles Dorin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Dorin, late of Company G, Tenth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY GOOD.

The bill (H. R. 6864) granting an increase of pension to Henry Good was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Good, late of Company C, Third Regiment Ohio Volunteers, war with Mexico, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES C. MILLER.

The bill (H. R. 9833) granting an increase of pension to James C. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James C. Miller, late of Company K, Thirtieth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. THOMPSON.

The bill (H. R. 9829) granting an increase of pension to William J. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Thompson, late of Company H, Seventh Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. WEIGAND.

The bill (H. R. 11918) granting a pension to Mary A. Weigand was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Weigand, widow of Frederick Weigand, late first lieutenant Company G, Seventh Regiment Rhode Island Volunteer Infantry, and to pay her a pension of \$17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA JEWELL.

The bill (H. R. 9606) granting a pension to Martha Jewell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha Jewell, widow of Quintus Jewell, late of Company K, One hundred and twenty-third Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL CRAIG.

The bill (H. R. 9627) granting an increase of pension to Daniel Craig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Craig, late of Company A, Twelfth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. PAGE.

The bill (H. R. 9601) granting an increase of pension to John B. Page was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Page, late of Company K, Fifth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNAH C. REESE.

The bill (H. R. 10494) granting an increase of pension to Hannah C. Reese was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hannah C. Reese, widow of David Reese, late of Company G, Second Regiment Pennsylvania Volunteer Infantry, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN E. MURPHY.

The bill (H. R. 9415) granting an increase of pension to John E. Murphy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John E. Murphy, late of Company B, Sixty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE A. HAVEL.

The bill (H. R. 9417) granting an increase of pension to George A. Havel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George A. Havel, late of Company C, Twenty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EPHRAIM MARBLE.

The bill (H. R. 10250) granting an increase of pension to Ephraim Marble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ephraim Marble, late captain Companies B and F, Ninth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEPHEN M. SEXTON.

The bill (H. R. 7720) granting an increase of pension to Stephen M. Sexton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Stephen M. Sexton, late of Company F, First Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL MEADOWS.

The bill (H. R. 8518) granting an increase of pension to Samuel Meadows was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Meadows, late of Company H, Forty-fifth Regiment Kentucky Volunteer Mounted Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUGENE ORR, ALIAS CHARLES SOUTHARD.

The bill (H. R. 7902) granting an increase of pension to Eugene Orr, alias Charles Southard, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eugene Orr, alias Charles Southard, late master-at-arms, U. S. S. *North Carolina*, *Oneida*, and *Bienville*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY J. MCKIM.

The bill (H. R. 7837) granting an increase of pension to Mary J. McKim, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. McKim, widow of William E. McKim, late assistant surgeon of One hundred and twenty-fifth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE EDDY POTTER.

The bill (H. R. 12521) granting an increase of pension to Alice Eddy Potter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice Eddy Potter, widow of William E. Potter, late captain Company G, Twelfth Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JESSE WOODS.

The bill (H. R. 6238) granting an increase of pension to Jesse Woods was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse Woods, late of Company I, First Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SOLOMON RIDDELL.

The bill (H. R. 6256) granting an increase of pension to Solomon Riddell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solomon Riddell, late of Company H, Ninth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN ALSPAUGH.

The bill (S. 1211) to correct the military record of John Alspaugh was considered as in Committee of the Whole. It directs the Secretary of War to enter the name of John Alspaugh on the muster-in rolls of Company E, One hundred and fifty-third Ohio National Guard Volunteers, as of May 2, 1864, thereby substituting John Alspaugh for one Elias Alspaugh, who the records erroneously show was mustered in as a member of the organization, though performing no service therein.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ISRAEL E. MUNGER.

The bill (H. R. 601) granting an increase of pension to Israel E. Munger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Israel E. Munger, late of Company I, Twelfth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VIRGINIA A. HILBURN.

The bill (H. R. 16930) granting a pension to Virginia A. Hilburn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Virginia A. Hilburn, widow of Charles E. Hilburn, late of Captain Crump's company, First Regiment Texas Mounted Volunteers, war with Mexico, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GILSON LAWRENCE.

The bill (H. R. 16985) granting an increase of pension to Gilson Lawrence was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gilson Lawrence, late of Company E, Third Regiment Kentucky Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID R. WALDEN.

The bill (H. R. 16583) granting an increase of pension to David R. Walden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David R. Walden, late of Company H, One hundred and sixty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SHELDON B. FARGO.

The bill (H. R. 16023) granting an increase of pension to Sheldon B. Fargo was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sheldon B. Fargo, late of Captain Lamerick's company, Oregon Volunteers, Oregon and Washington Territory Indian war, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL H. FRAZIER.

The bill (H. R. 16437) granting an increase of pension to Samuel H. Frazier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. Frazier, late of Company A, Seventy-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LARS F. WADSTEN, ALIAS FREDERICK WADSTEN.

The bill (H. R. 11898) granting a pension to Lars F. Wadsten, alias Frederick Wadsten, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lars F. Wadsten, alias Frederick Wadsten, late of Company K, Nineteenth Regiment Kansas Volunteer Cavalry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED B. MENARD.

The bill (H. R. 9578) granting an increase of pension to Alfred B. Menard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred B. Menard, late of Company D, First Regiment Texas Volunteer Rifles, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS C. JACKSON.

The bill (H. R. 9556) granting an increase of pension to Thomas C. Jackson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas C. Jackson, late of Company B, Forty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM C. HERRIDGE.

The bill (H. R. 9261) granting an increase of pension to William C. Herridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Herridge, late of Captain Gant's company, Alabama Volunteers, Cherokee Indian disturbances, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM BERRY.

The bill (H. R. 9046) granting a pension to William Berry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Berry, late of Captain Gilbreath's company, Alabama Scouts and Guides, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WHEELER LINDENBOWER.

The bill (H. R. 7745) granting an increase of pension to Wheeler Lindenbower was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wheeler Lindenbower, late of Company C, Fourth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES THOMPSON BROWN.

The bill (H. R. 8046) granting an increase of pension to James Thompson Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Thompson Brown, late of Company K, Third Regiment Missouri Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATHIAS BRADY.

The bill (H. R. 7821) granting an increase of pension to Mathias Brady was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mathias Brady, late of Company A, Fifth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM T. EDMON.

The bill (H. R. 10456) granting an increase of pension to William T. Edgemon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Edgemon, late of Company F, Second Regiment United States Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES HAMMOND, ALIAS HIRAM W. KIRKPATRICK.

The bill (H. R. 7687) granting an increase of pension to Charles Hammond, alias Hiram W. Kirkpatrick, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Hammond, alias Hiram W. Kirkpatrick, late of Company B, Sixty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. HAMMOND.

The bill (H. R. 8948) granting an increase of pension to John W. Hammond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Hammond, late of Company C, Twentieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHANIEL M. STUKES.

The bill (H. R. 9257) granting an increase of pension to Nathaniel M. Stukes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathaniel M. Stukes, late of Captain Handley's company, First Regiment Texas Volunteer Cavalry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL S. GARST.

The bill (H. R. 8277) granting an increase of pension to Samuel S. Garst was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel S. Garst, late of Company G, Second Regiment Illinois Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. SIZER.

The bill (H. R. 10924) granting an increase of pension to Thomas J. Sizer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas J. Sizer, late of Company I, Seventeenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL FISH.

The bill (H. R. 10580) granting an increase of pension to Samuel Fish was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Fish, late of Company C, Thirty-fourth Regiment Illinois Volunteer Infantry, and One hundred and seventh Company, Second Battalion Veteran Reserve Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. GERARD.

The bill (H. R. 10473) granting an increase of pension to John B. Gerard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Gerard, late of Company I, Second Regiment Minnesota Volunteer Cavalry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN R. SOUTH.

The bill (H. R. 10161) granting an increase of pension to Benjamin R. South was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin R. South, late of Company K, Seventy-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. LOCKHART.

The bill (H. R. 10173) granting an increase of pension to John H. Lockhart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Lockhart, late of Company G, Ninety-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ARBY FRIER.

The bill (H. R. 10030) granting an increase of pension to Arby Frier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Arby Frier, late of Company A, Sixteenth Regiment United States Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. GRIFFITH.

The bill (H. R. 7540) granting an increase of pension to William F. Griffith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Griffith, late of Company L, Third Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN C. SMITH.

The bill (H. R. 6985) granting a pension to Susan C. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan C. Smith, widow of Ashbel W. Smith, late of Independent Battery E, Pennsylvania Volunteer Light Artillery, and to pay her a pension of \$8 per month, such pension to cease upon proof that the soldier is living.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. DOHERTY.

The bill (H. R. 6452) granting an increase of pension to William H. Doherty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Doherty, late of Company K, Forty-second Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM LINN.

The bill (H. R. 6213) granting an increase of pension to Hiram Linn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram Linn, late of Company H, Ninety-second Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVANS BLAKE.

The bill (H. R. 11593) granting an increase of pension to Evans Blake was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Evans Blake, late first lieutenant and regimental quartermaster Forty-fifth Regiment Illinois Volunteer Infantry, and captain and commissary of subsistence, United States Volunteers, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. HALL.

The bill (H. R. 11591) granting an increase of pension to John B. Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Hall, late of Captain Stoke's battery, Illinois Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. SPEED.

The bill (H. R. 11532) granting an increase of pension to Andrew J. Speed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Speed, late of Company D, Fifteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FANNY L. CONINE.

The bill (H. R. 11374) granting an increase of pension to Fanny L. Conine, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Fanny L. Conine, widow of James W. Conine, late of Captain Simmon's Independent battery, Kentucky Volunteer Light Artillery, and colonel Fifth Regiment United States Colored Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMELIA E. GRIMSLEY.

The bill (H. R. 9791) granting an increase of pension to Amelia E. Grimsley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia E. Grimsley, widow of Fielding W. Grimsley, late of Company B, Permanent Guard (Draft Rendezvous, Indianapolis) Indiana Volunteer Infantry, and unassigned, Twenty-second Regiment Indiana Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH A. C. CURTIS.

The bill (H. R. 6919) granting an increase of pension to Joseph A. C. Curtis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph A. C. Curtis, late of Company D, Sixth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANNIE L. SCHMITT.

The bill (H. R. 6450) granting an increase of pension to Nannie L. Schmitt was considered as in Committee of the

Whole. It proposes to place on the pension roll the name of Nannie L. Schmitt, widow of William A. Schmitt, late lieutenant-colonel Twenty-seventh Regiment Illinois Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INEZ TALKINGTON.

The bill (H. R. 8820) granting a pension to Inez Talkington was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Inez Talkington, helpless and dependent daughter of Robert Talkington, late of Company A, Ninth Regiment Indiana Volunteer Cavalry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MILTON H. WAYNE.

The bill (H. R. 8157) granting an increase of pension to Milton H. Wayne was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Milton H. Wayne, late of Company A, Twentieth Regiment Wisconsin Volunteer Infantry, and Company C, Fifth Regiment Veteran Reserve Corps, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VALENTINE BARTLEY.

The bill (H. R. 1151) granting an increase of pension to Valentine Bartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Valentine Bartley, late of Company H, Sixth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID RANKIN.

The bill (H. R. 1245) granting an increase of pension to David Rankin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Rankin, late of Company G, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANKLIN D. CLARK.

The bill (H. R. 4679) granting an increase of pension to Franklin D. Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Franklin D. Clark, late of Company E, Forty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM SIMMONS.

The bill (H. R. 3333) granting a pension to William Simmons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Simmons, late recruit, United States Army, war with Mexico, and Company I, Second Regiment United States Infantry, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH H. WAGONER.

The bill (H. R. 5956) granting an increase of pension to Joseph H. Wagoner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Wagoner, late of Company I, Fifth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM G. HOKE.

The bill (H. R. 5044) granting an increase of pension to Hiram G. Hoke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram G. Hoke, late of Company B, Ninth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ASHFORD R. MATHENY.

The bill (H. R. 2721) granting an increase of pension to Ashford R. Matheny was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Ashford R. Matheny, late of Company K, Eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH W. VANCE.

The bill (H. R. 4350) granting an increase of pension to Joseph W. Vance was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph W. Vance, late of Company I, Forty-second Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. EDDY.

The bill (H. R. 2731) granting an increase of pension to James M. Eddy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Eddy, late of Company F, One hundred and sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LORENZO D. HARTWELL.

The bill (H. R. 17028) granting an increase of pension to Lorenzo D. Hartwell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo D. Hartwell, late of Company F, Thirty-first Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM N. J. BURNS.

The bill (H. R. 16179) granting an increase of pension to William N. J. Burns was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William N. J. Burns, late hospital steward, Fifth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS DE LAITRE.

The bill (H. R. 15907) granting an increase of pension to Lewis De Laitre was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Army," to insert "war with Mexico;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis De Laitre, late of Company A, Corps of Engineers, United States Army, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE W. WARREN.

The bill (H. R. 9993) granting a pension to George W. Warren was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Warren, late of Company D, Nineteenth Regiment Kansas Volunteer Cavalry, and to pay him a pension of \$24 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LLOYD D. BENNETT.

The bill (H. R. 8290) granting an increase of pension to Lloyd D. Bennett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lloyd D. Bennett, late of Company D, Thirty-ninth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS HUGHES.

The bill (H. R. 11361) granting an increase of pension to Thomas Hughes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Hughes, late captain Company A, Berry's battalion Missouri

Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MANNING ABBOTT.

The bill (H. R. 11367) granting an increase of pension to Manning Abbott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Manning Abbott, late of Company C, Twenty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY G. THOMAS.

The bill (S. 2624) granting an honorable discharge to Henry G. Thomas, deceased, Company C, Second Kentucky Cavalry, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 6, after the word "Cavalry," to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of, and grant an honorable discharge to, Henry G. Thomas, deceased, late captain of Company C, Second Kentucky Cavalry: *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PELEG T. GRIFFITH.

The bill (S. 1166) to correct the military record of Peleg T. Griffith was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 8, after the name "Griffith," to insert the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause the records to be so amended as to remove the charge of absence without leave from the military record of Peleg T. Griffith, late captain Company F, One hundred and seventeenth United States Colored Troops, and that an honorable discharge be granted the said Peleg T. Griffith: *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEZEKIAH DAVIS.

The bill (S. 4197) authorizing and directing the Secretary of the Treasury to enter on the roll of Capt. Orlando Humason's Company B, First Oregon Mounted Volunteers, the name of Hezekiah Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in section 2, page 2, line 16, after the word "wars," to insert the following proviso:

Provided, That nothing in this act shall be construed as granting a pensionable status to the said Elizabeth C. Davis to date prior to the passage of this act.

So as to make the section read:

SEC. 2. That when the name of Hezekiah Davis has been entered on the roll of Captain Humason's company, as authorized and directed, his widow, Elizabeth C. Davis, shall be granted the pay due said soldier for his services and pension under the act of June 27, 1902, in the same manner as such claims are granted to the widows of Indian war volunteers whose names now appear on the original company rolls and records of the various Indian wars: *Provided*, That nothing in this act shall be construed as granting a pensionable status to the said Elizabeth C. Davis to date prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. This completes the Calendar of pension and military record bills.

Mr. McCUMBER. If no one desires an executive session, Mr. President, I shall move that the Senate adjourn.

Mr. KEAN. I should like to have an executive session.

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from New Jersey for that purpose?

Mr. McCUMBER. Certainly.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 28, 1906, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 27, 1906.

COLLECTORS OF CUSTOMS.

Charles T. Stanton, of Connecticut, to be collector of customs for the district of Stonington, in the State of Connecticut. (Re-appointment.)

John Peterson, of Minnesota, to be collector of customs for the district of Minnesota, in the State of Minnesota. (Reappointment.)

PROMOTIONS IN THE ARMY.

Subsistence Department.

Maj. Albert D. Kniskern, commissary, to be deputy commissary-general with the rank of lieutenant-colonel from April 24, 1906, vice West, deceased.

Capt. Charles P. Stivers, commissary, to be commissary with the rank of major from April 24, 1906, vice Kniskern, promoted.

Artillery Corps.

Capt. John C. W. Brooks, Artillery Corps, to be major from March 16, 1906, vice Parkhurst, promoted.

Capt. George T. Bartlett, Artillery Corps, to be major from March 26, 1906, vice Macomb, promoted.

Capt. Charles A. Bennett, Artillery Corps, to be major from April 1, 1906, vice Harrison, promoted.

Capt. Edward A. Millar, Artillery Corps, to be major from April 14, 1906, vice Greble, detailed as inspector-general.

PROMOTION IN THE PORTO RICO PROVISIONAL REGIMENT OF INFANTRY.

Second Lieut. Pedro J. Parra, Porto Rico Provisional Regiment of Infantry, to be first lieutenant from February 23, 1906, vice Stephenson, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1906.

COLLECTOR OF CUSTOMS.

William F. Stone, of Maryland, to be collector of customs for the district of Baltimore, in the State of Maryland.

PROMOTION IN THE NAVY.

Assistant Naval Constructor Richard H. Robinson to be a naval constructor in the Navy from the 21st day of April, 1906.

POSTMASTERS.

MISSOURI.

Malissa Conway to be postmaster at Vandalia, in the county of Audrain and State of Missouri.

NEW JERSEY.

Elias H. Bird to be postmaster at Plainfield, in the county of Union and State of New Jersey.

NEW YORK.

James M. Miller to be postmaster at Washingtonville, in the county of Orange and State of New York.

William N. Wallace to be postmaster at Gowanda, in the county of Cattaraugus and State of New York.

OHIO.

E. L. Byers to be postmaster at Mechanicsburg, in the county of Champaign and State of Ohio.

E. A. Gordon to be postmaster at Upper Sandusky, in the county of Wyandot and State of Ohio.

L. E. Simes to be postmaster at Covington, in the county of Miami and State of Ohio.

PENNSYLVANIA.

Preston E. Hannum to be postmaster at Christiana, in the county of Lancaster and State of Pennsylvania.

VIRGINIA.

Charles A. Lacy to be postmaster at Houston, in the county of Halifax and State of Virginia.

Charles P. Nair to be postmaster at Clifton Forge, in the county of Alleghany and State of Virginia.